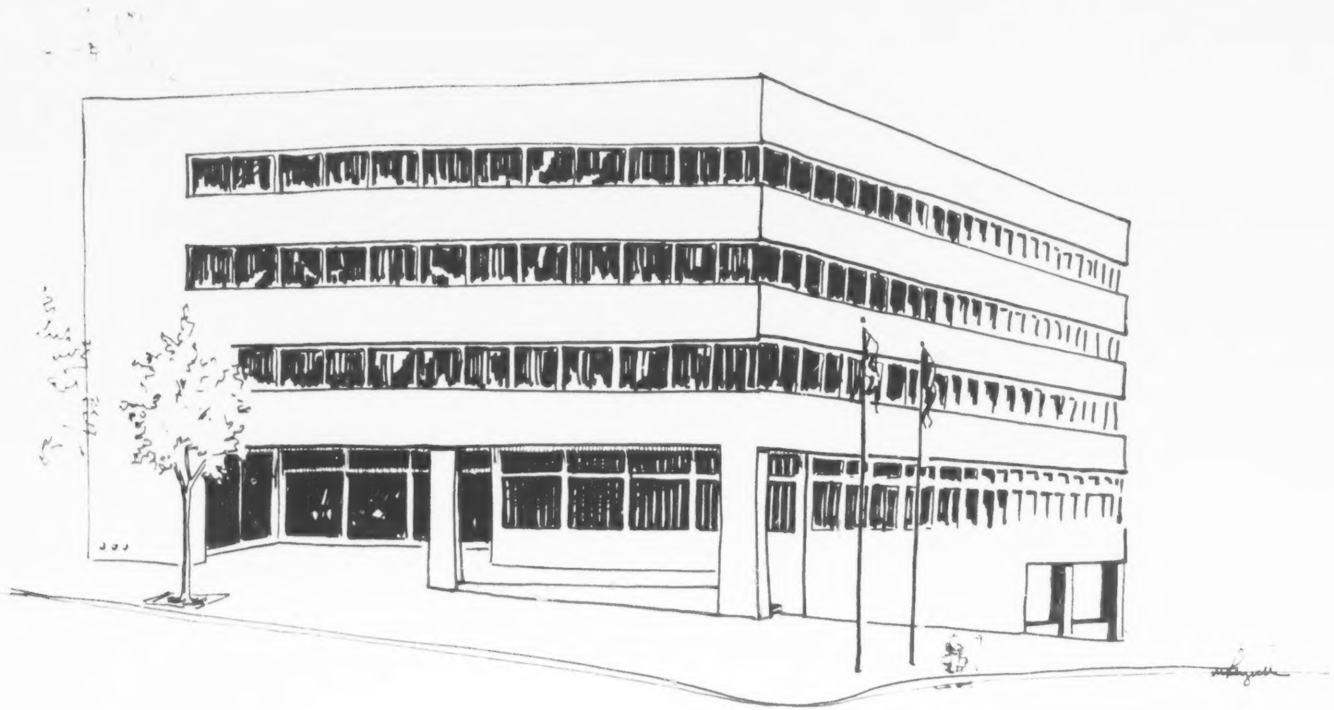

the Delaware judiciary » 1980 annual report

FEB 11 1981

COVER

The Family Court Building
900 King Street, Wilmington

Pen and ink drawing by Dr. William F. Renzulli

THE 1980 ANNUAL REPORT OF THE DELAWARE JUDICIARY

December 19, 1980

Prepared by the
ADMINISTRATIVE OFFICE OF THE COURTS
John R. Fisher, Director
Vincent P. Meconi, Manager - Planning & Research
Adam Golby, Research Assistant

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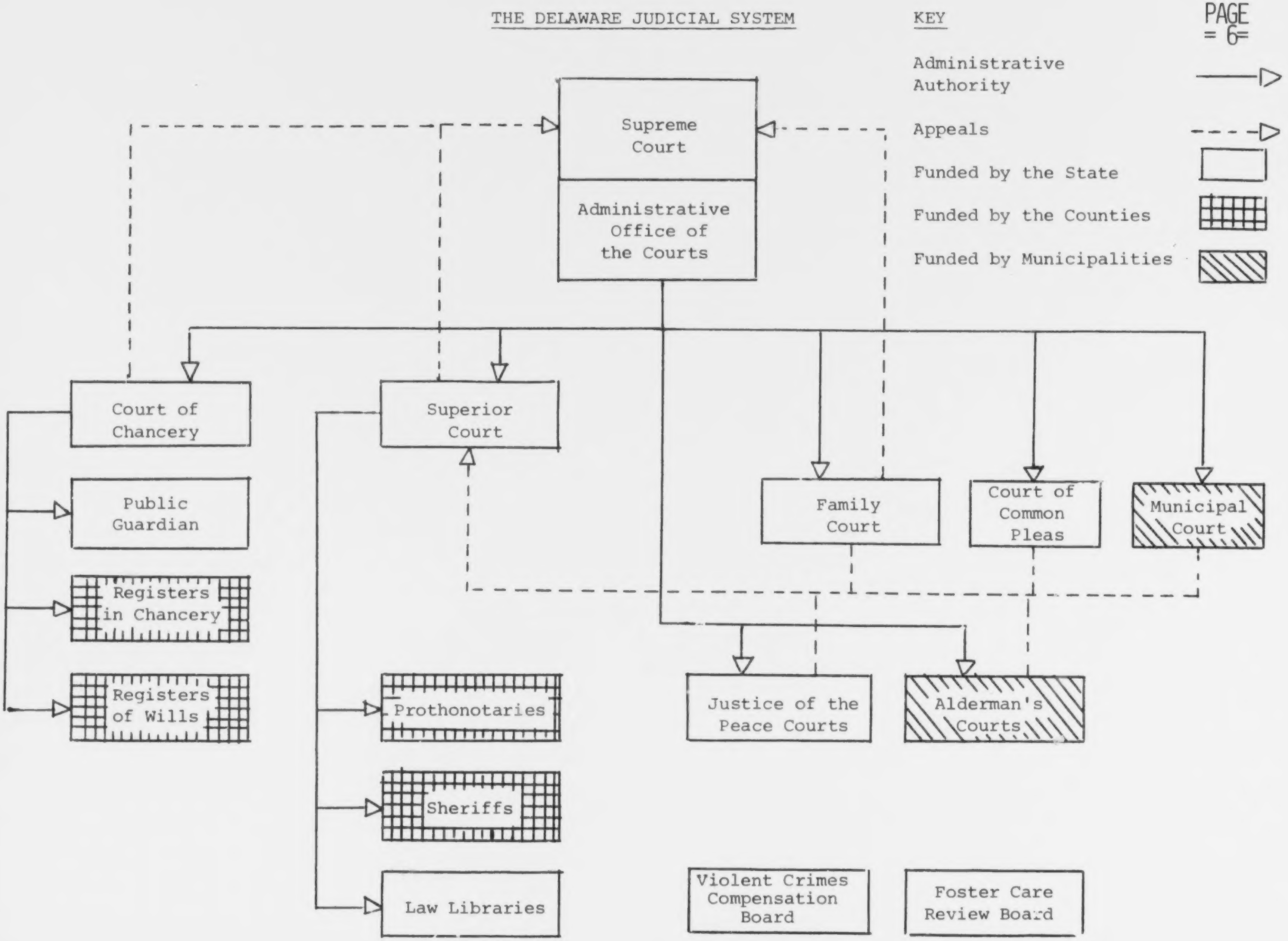
Introduction & Overview

THE DELAWARE JUDICIAL SYSTEM


KEY
Administrative Authority
Appeals
Funded by the State
Funded by the Counties
Funded by Municipalities
Supreme Court
Administrative Office of the Courts
Court of Chancery
Superior Court
Family Court
Court of Common Pleas
Municipal Court
Public Guardian
Registers in Chancery
Registers of Wills
Prothonotaries
Sheriffs
Law Libraries
Justice of the Peace Courts
Alderman's Courts
Violent Crimes Compensation Board
Foster Care Review Board

SUMMARY OF JUDICIAL BUDGETS

FISCAL YEARS 1979-1980-1981-1982

	FY 1979 Actual Disbursement	FY 1980 Actual Disbursement	FY 1981 Budget	FY 1982 Request
STATE*				
Administrative Office of the Courts	$ 2,450,900	$ 2,391,300	$ 2,322,300	$ 2,590,600
Supreme Court	483,200	566,100	674,100	791,000
Court of Chancery	339,500	345,700	406,200	616,600
Public Guardian	80,700	91,200	76,900	102,400
Superior Court	1,946,100	2,191,900	2,610,900	3,416,300
Law Libraries	153,900	145,400	182,100	237,200
Family Court	3,429,100	3,914,700	5,265,400	5,570,300
Court of Common Pleas	860,900	910,900	1,174,000	1,316,300
Justice of the Peace Courts	2,293,200	2,415,100	3,315,000	3,831,200
Violent Crimes Compensation Board	328,700	362,700	382,200	402,200
Foster Care Review Board	0	24,200	84,500	107,700
STATE TOTALS	$12,366,200	$13,359,200	$16,493,600	$18,981,800
NEW CASTLE COUNTY				
Register in Chancery	$ 229,741	$ 287,746	$ 301,982	N.A.
Register of Wills	286,549	328,546	352,826	N.A.
Prothonotary	675,352	799,986	880,316	N.A.
Sheriff	537,690	631,589	678,609	N.A.
NEW CASTLE COUNTY TOTALS	$ 1,729,332	$ 2,047,867	$ 2,213,733	N.A.
KENT COUNTY				
Register in Chancery	$ 39,583	$ 44,281	$ 45,699	N.A.
Register of Wills	30,790	36,842	37,332	N.A.
Prothonotary	85,007	91,497	121,112	N.A.
Sheriff	68,545	75,596	77,128	N.A.
KENT COUNTY TOTALS	$ 223,925	$ 248,216	$ 281,271	N.A.

SUMMARY OF JUDICIAL BUDGETS (CONTINUED)

FISCAL YEARS 1979-1980-1981-1982

	FY 1979 Actual Disbursement	FY 1980 Actual Disbursement	FY 1981 Budget	FY 1982 Request
SUSSEX COUNTY				
Register in Chancery	$ 30,948	$ 36,443	$ 42,733	N.A.
Register of Wills	30,093	30,548	34,469	N.A.
Prothonotary	51,261	52,625	58,505	N.A.
Sheriff	64,242	72,295	67,189	N.A.
SUSSEX COUNTY TOTALS	$ 176,544	$ 191,911	$ 202,896	N.A.
MUNICIPALITIES				
Municipal Court**	$ 613,009	$ 578,351	$ 656,737	N.A.
Alderman's Courts	N.A.	N.A.	N.A.	N.A.
MUNICIPALITIES TOTALS	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS-JUDICIAL BRANCH¶	$15,109,010	$16,425,545	$19,848,237	$18,981,800

N.A. = Not Available

*Figures include federal and other funds (if any) as well as State general funds.

**Figures include federal funds and City of Wilmington funds.

¶Totals for FY 1979, FY 1980, and FY 1981 do not include Alderman's Courts. Totals for FY 1982 do not include Alderman's Courts, Municipal Court, or any County monies.

COURT-GENERATED REVENUE*

FISCAL YEAR 1980

	Fees and Costs	Fines	Interest	Other**	TOTAL	Revenue as % of Operating Budget#
SUBMITTED TO STATE GENERAL FUND						
Administrative Office of the Courts	$ 0	$ 0	$ 0	$ 0	$ 0	0.0%
Supreme Court	9,300	500	0	800	10,600	1.9%
Court of Chancery	0	113,500	278,100##	700	392,300	113.5%
Public Guardian	0	0	0	0	0	0.0%
Superior Court	28,300	10,700	2,900##	5,800	47,700	2.2%
Law Libraries	0	0	0	0	0	0.0%
Family Court	309,100	23,000	0	11,200	343,300	8.8%
Court of Common Pleas	50,700	87,800	0	200	138,700	15.2%
Justice of the Peace Courts	1,242,400	1,767,600	0	8,500	3,018,500	125.0%
Violent Crimes Compensation Board¶	0	0	0	0	0	0.0%
Foster Care Review Board	0	0	0	0	0	0.0%
STATE TOTALS	$1,639,800	$2,003,100	$281,000	$27,200	$3,951,100	29.6%
SUBMITTED TO NEW CASTLE COUNTY						
Register in Chancery	$ 131,404	N.A.	$278,093##	N.A.	$ 410,497	142.7%
Register of Wills	N.A.	N.A.	N.A.	N.A.	681,901	207.6%
Prothonotary	N.A.	N.A.	N.A.	N.A.	357,769	44.7%
Sheriff	125,742	$ 0	0	$ 0	125,742	19.9%
NEW CASTLE COUNTY TOTALS	N.A.	N.A.	N.A.	N.A.	$1,575,909	77.0%
SUBMITTED TO KENT COUNTY						
Register in Chancery	N.A.	N.A.	N.A.	N.A.	$ 6,975	15.8%
Register of Wills	N.A.	N.A.	N.A.	N.A.	68,491	185.9%
Prothonotary	$ 46,476	$ 0	$ 983##	$ 0	47,459	51.9%
Sheriff	15,580	0	0	0	15,580	20.6%
KENT COUNTY TOTALS	N.A.	N.A.	N.A.	N.A.	$ 138,505	55.8%

COURT-GENERATED REVENUE* (CONTINUED)

FISCAL YEAR 1980

	Fees and Costs	Fines	Interest	Other**	TOTAL	Revenue as % by Operating Budget#
SUBMITTED TO SUSSEX COUNTY						
Register in Chancery	N.A.	N.A.	N.A.	N.A.	$ 12,370	33.9%
Register of Wills	N.A.	N.A.	N.A.	N.A.	175,288	573.8%
Prothonotary	N.A.	N.A.	N.A.	N.A.	39,471	75.0%
Sheriff	N.A.	N.A.	N.A.	N.A.	9,049	12.5%
SUSSEX COUNTY TOTALS	N.A.	N.A.	N.A.	N.A.	$ 236,178	123.1%
SUBMITTED TO MUNICIPALITIES						
Municiapl Court	$ 112,621	$ 465,634	$ 0	$ 0	$ 578,255	100.0%
Justice of the Peace Courts	0	473,432	0	0	473,432	¶¶
Alderman's Courts	142,947	496,786	0	0	639,733	N.A.
MUNICIPALITIES TOTALS	$ 255,568	$1,435,852	$ 0	$ 0	$1,691,420	N.A.
GRAND TOTALS-JUDICIAL BRANCH§	$1,895,368	$3,438,952	$281,000	$27,200	$7,593,111	46.2%§§

*Figures represent only revenue actually collected, not the total amount of fees, fines, costs, etc. assessed.

**Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

#FY 1980 Revenue divided by FY 1980 Actual Disbursement; the Actual Disbursement includes State General funds, federal funds, and other funds.

##Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

¶Funds collected for the Violent Crimes Compensation Board is included with the court which collected the money.

¶¶Total revenue generated by the JP Courts in FY 1980 was $3,491,932, which represents 144.6% of expenditures for the year.

§Column totals do not sum to grand total because some county breakdowns are not available.

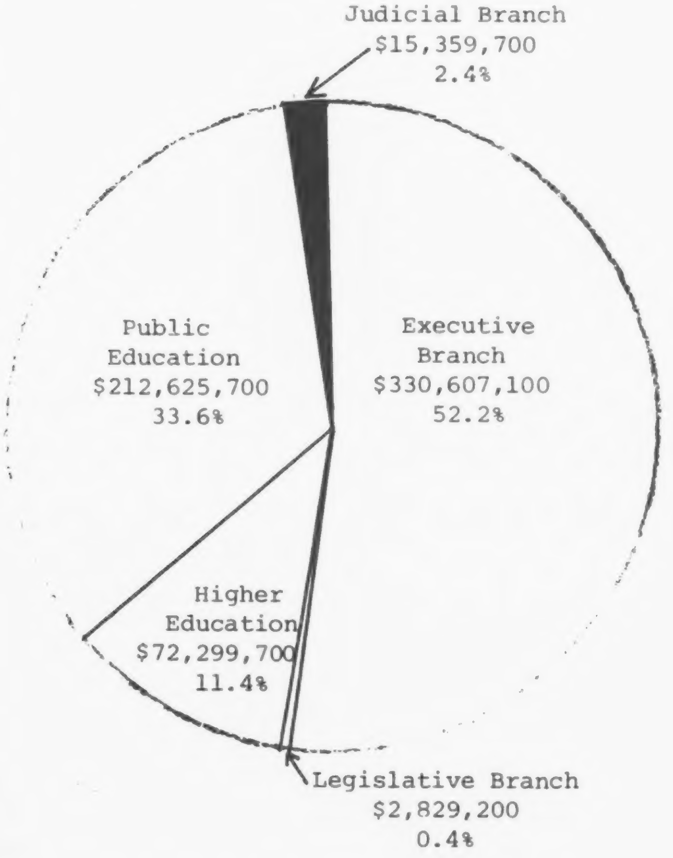
§§This figure is approximate as some data for both revenue and expenditures is not available.

DELAWARE STATE GOVERNMENT APPROPRIATIONS*

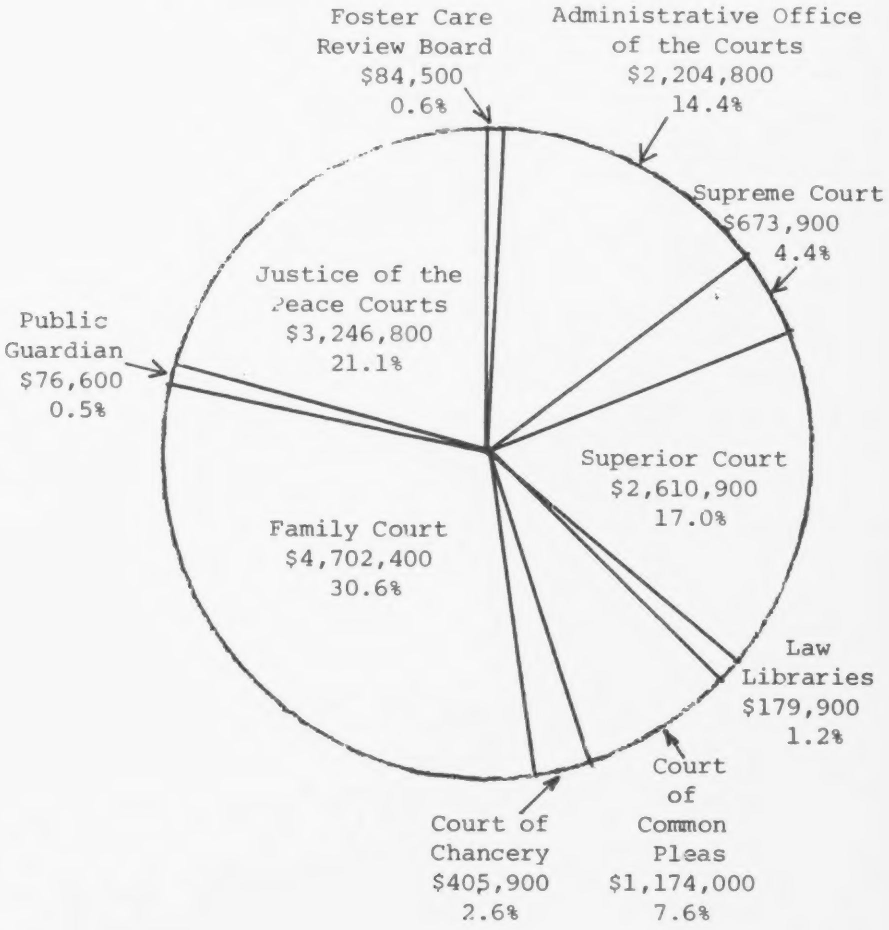
FISCAL YEAR 1981

TOTAL: $633,721,400

STATE APPROPRIATIONS - TOTAL
$633,721,400



STATE APPROPRIATIONS - JUDICIARY
$15,359,700



*State general fund monies only.

Source: 130th General Assembly, House Bill 950 as amended and Senate Bill 1175 as amended.

Administrative Office of the Courts

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, Chapter 1, during the 1971 General Assembly.

Duties

The Administrative Office of the Courts serves as the focal point for coordination and communications concerning all court administrative activities in the judicial system. The office prepares budgets for the Supreme Court, Court of Chancery, and the Foster Care Review Board, and assists in preparation of the budgets of the Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is largely responsible for the acquisition of space or facilities for the judicial system, and is responsible for the supervision of lease negotiations and the payment of all rentals. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. The Administrative Office of the Courts has responsibility for the development and maintenance of the computerized judicial information system. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels. The AOC will implement and manage the upcoming judicial personnel system.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

ADMINISTRATIVE OFFICE OF THE COURTS

Main Office
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2480)

Data Processing Center
Mezzanine
Public Building
1020 King Street
Wilmington, DE 19801
(571-2344)

PERSONNEL

Director
John R. Fisher
Carolyn Walker, Secretary

Assistant Director
Lowell L. Groundland

Manager of Accounting
Dawn Bowman

Accounting Clerks
E. Lynn Deramo
Georgia A. Roberts

Secretary
Maria Cook

Personnel Manager
Robert A. Homiller

Manager, Planning and Research
Vincent P. Meconi

Research Assistant
Adam Golby

Secretary
Paula Cannon

Data Processing Manager
James P. Boulanger

Systems Analyst
Lawrence J. Clerk

Analyst-Programmers
Noreen O. Manning
James D. Spako

Computer Programmers
Brian J. Parlier
Vacant

Computer Operators
Christine L. Creegan
Paul A. Kutys

Supreme Court

SUPREME COURT

Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section I. The Supreme Court has statewide juriscition and sits in Dover.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums and in civil cases as to final judgments and certain other orders of Superior Court, Court of Chancery and Family Court. Appeals are heard on the record. The Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices, who are appointed by the Governor with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law and must be citizens of the State. Three of the Justices are of one of the major political parties while the other two Justices are of the other major political party.

Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Clerk and Chief Deputy Clerk, law clerks, and secretaries.

Caseload Trend

While the total of 332 criminal and civil cases filed in FY 1980 is 7 less than the 339 filings in FY 1979, a decrease of 2.1%, the total of 366 dispositions in FY 1980 represents a 2.2% increase from the 358 dispositions in FY 1979. As a result, the number of pending cases decreased from 310 to 276 in FY 1980, a decrease of 11.0% for the second consecutive annual drop in pendings. This may be attributed to the recent enlargement of the Court to 5 Justices. From filing to disposition, civil appeals were disposed of in an average of 297.1 days, criminal appeals in an average of 363.8 days, and other cases in an average of 168.8 days. The average of all cases combined was 312.8 days from filing to disposition, slightly less than the average of 316.5 days in FY 1979.

SUPREME COURT

JUDICIARY

Chief Justice
Hon. Daniel L. Herrmann (D, 8/9/85)
C. Jane Obold, Secretary
(571-2427)

Justices
Hon. William Duffy (D, 8/9/85)
Ruth Laird, Secretary
(571-3730)
Hon. John J. McNeilly (R, 10/25/86)
Ida Mae Ellis, Secretary
(856-5365)
Hon. William T. Quillen (D, 10/30/90)
Barbara Normille, Secretary
(571-3700)
Hon. Henry R. Horsey (R, 10/30/90)
Audrey F. Bacino, Secretary
(736-4214)

SUPREME COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Chief Deputy Clerk of the Supreme Court Stephen D. Taylor (571-3706)	Clerk of the Supreme Court T. E. Townsend, Jr. (736-4155, 734-3001)	
Administrative Secretary Lois D. Taylor (571-2429)	Deputy Clerk Cathy L. Howard	
	Bailiff Charles W. Atkins (736-4155)	
Law Clerks Richard L. McMonigle, Jr. (571-3799) Thomas C. Grimm (571-3709) Gerald E. Darling (571-3737)	Catherine B. Hagerty (736-4214)	Anthony W. Clark (856-5363)
Receptionist Joanne Spoonamore (571-2425)		

ADDRESSES

Supreme Court Chambers 11th Floor Wilmington State Office Building 820 North French Street Wilmington, DE 19801	Supreme Court Building 55 The Green P.O. Box 476 Dover, DE 19901	Supreme Court Chambers 208 Sussex County Courthouse The Circle Georgetown, DE 19947

SUPREME COURT

FISCAL YEAR 1980
WORKLOAD

	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Criminal Appeals	135	107	111	131	- 4
Civil Appeals	161	215	242	134	-27
Original Applications	11	5	8	8	- 3
Advisory Opinions	2	0	2	0	- 2
Certifications	1	5	3	3	+ 2
TOTAL	310	332	366	276	-34

COMPARISON - FISCAL YEARS 1979-1980
WORKLOAD

FILINGS

	1979	1980	Change	% Change
Criminal Appeals	126	107	-19	- 15.1%
Civil Appeals	191	215	+24	+ 12.6%
Original Applications	16	5	-11	- 68.8%
Advisory Opinions	2	0	- 2	-100.0%
Certifications	4	5	+ 1	+ 25.0%
TOTAL	339	332	- 7	- 2.1%

DISPOSITIONS

	1979	1980	Change	% Change
Criminal Appeals	124	111	-13	- 10.5%
Civil Appeals	218	242	+24	+ 11.0%
Original Applications	11	8	- 3	- 27.3%
Advisory Opinions	0	2	+ 2	+100.0%
Certifications	5	3	- 2	- 40.0%
TOTAL	358	366	+ 8	+ 2.2%

PENDING AT END OF YEAR

	1979	1980	Change	% Change
Criminal Appeals	135	131	- 4	- 3.0%
Civil Appeals	161	134	-27	- 16.8%
Original Applications	11	8	- 3	- 27.3%
Advisory Opinions	2	0	- 2	-100.0%
Certifications	1	3	+ 2	+200.0%
TOTAL	310	276	-34	- 11.0%

Source: Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1980
WORKLOAD

FILINGS BY CASE TYPE

	Court of Chancery	Superior Court	Family Court	Not From Any Court	TOTAL
Criminal Appeals	0	107	0	0	107
Civil Appeals	34	105	76	0	215
Advisory Opinions	0	0	0	0	0
Certifications	0	0	0	5	5
Original Applications	0	0	0	5	5
TOTAL	34	212	76	10	332
Percentage of Total:	10.2%	63.9%	22.9%	3.0%	100.0%

DISPOSITIONS BY CASE TYPE

	Court of Chancery	Superior Court	Family Court	Not From Any Court	TOTAL
Criminal Appeals	0	111	0	0	111
Civil Appeals	42	140	60	0	242
Advisory Opinions	0	0	0	2	2
Certifications	0	0	0	3	3
Original Applications	0	0	0	8	8
TOTAL	42	251	60	13	366
Percentage of Total:	11.5%	68.6%	16.4%	3.6%	100.0%

Source: Clerk of the Supreme Court and Administrative Office of the Courts

SUPREME COURT

TOTAL NUMBER OF APPEALS FILED - 1950-1980

Fiscal Year	Number
1980	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 332
1979	§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§ 339
1978	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 361
1977	§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§ 362
1976	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 341
1975	§§§§§§§§§§§§§§§§§§§§§§§§§§§ 273
1974	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 255
1973	§§§§§§§§§§§§§§§§§§§§§§§§§ 247
1972	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 250
1971	§§§§§§§§§§§§§§§§§§ 176
1970*	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 193
1969	§§§§§§§§§§§§§§§§§§ 180
1968	¶¶¶¶¶¶¶¶¶¶¶¶¶ 126
1967	§§§§§§§§§§§§ 123
1966#	¶¶¶¶¶¶¶¶¶¶ 104
1965#	§§§§§§§§§§§§ 115
1964#	¶¶¶¶¶¶¶¶¶¶¶ 105
1963#	§§§§§§§§§§ 97
1962#	¶¶¶¶¶¶¶¶¶ 89
1961#	§§§§§§§ 68
1960#	¶¶¶¶¶¶ 63
1959#	§§§§§§§§ 79
1958#	¶¶¶¶¶¶ 63
1957#	§§§§§ 49
1956#	¶¶¶¶¶¶ 56
1955#	§§ 21
1954#	¶¶¶ 33
1953#	§§§ 32
1952#	¶¶¶¶ 35
1951#	§§§ 26
1950#	¶ 13

*Beginning in 1970, cross-appeals were no longer counted separately.

#Calendar Year

Source: Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1980
WORKLOAD

TYPE OF DISPOSITION

	Affirmed	Reversed	Reversed and Remanded	Modified	Voluntary Dismissal	Court Dismissal	Answered	Declined to Answer	Leave to Appeal Denied	Denied	TOTAL
Criminal Appeals	73	3	5	3	17	8	0	0	2	0	111
Civil Appeals	110	30	13	16	54	18	0	0	1	0	242
Advisory Opinions	0	0	0	0	0	0	1	1	0	0	2
Certifications	0	0	0	0	0	1	0	0	0	2	3
Original Applications	1	0	0	0	0	4	0	0	0	3	8
TOTAL	184	33	18	19	71	31	1	1	3	5	366
Percentage of Total:	50.3%	9.0%	4.9%	5.2%	19.4%	8.5%	0.3%	0.3%	0.8%	1.4%	100.0%

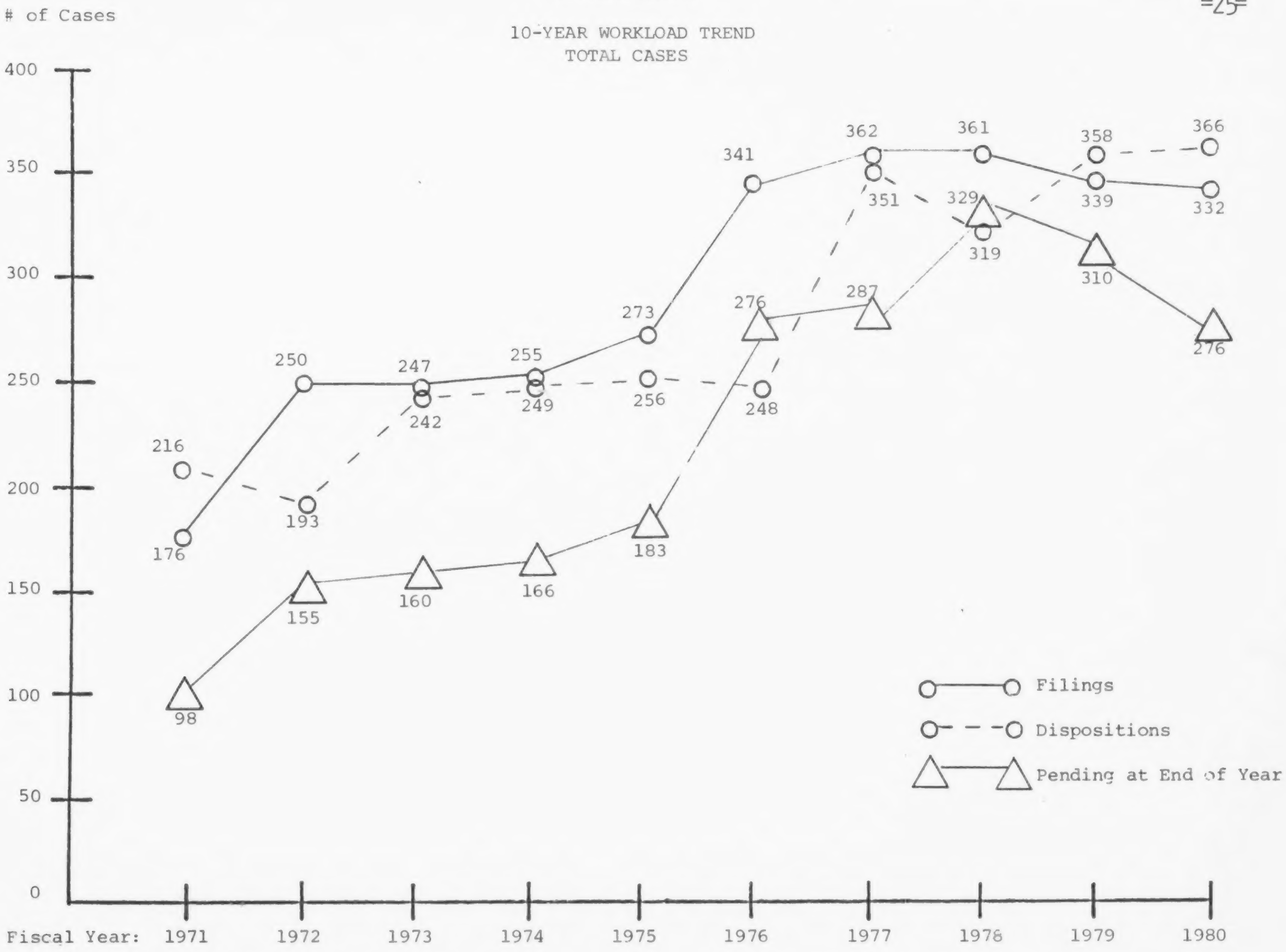
METHOD OF DISPOSITION

	Voluntary Dismissal	Court Dismissal	Assigned Opinion	Per Curiam Opinion	Written Order	TOTAL
Criminal Appeals	17	8	24	22	40	111
Civil Appeals	54	18	64	43	63	242
Advisory Opinions	0	0	0	1	1	2
Certifications	0	1	0	0	2	3
Original Applications	0	4	1	0	3	8
TOTAL	71	31	89	66	109	366
Percentage of Total:	19.4%	8.5%	24.3%	18.0%	29.8%	100.0%

Source: Clerk of the Supreme Court and Administrative Office of the Courts

SUPREME COURT

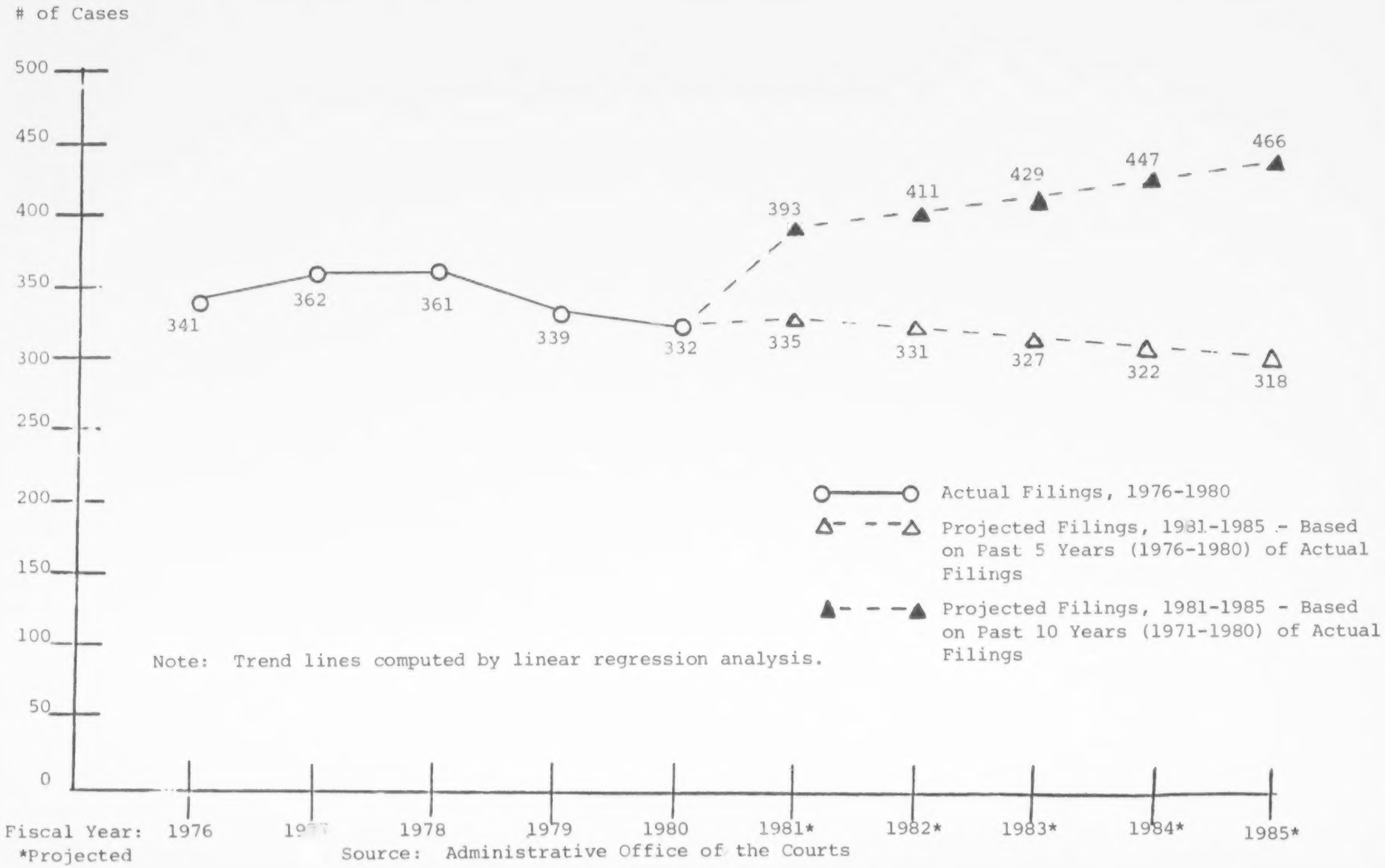
10-YEAR WORKLOAD TREND
TOTAL CASES



Source: Administrative Office of the Courts

SUPREME COURT

5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1980
PERFORMANCE

ELAPSED TIME BY CASE TYPE

Case Type	Number of Dispositions	Average Elapsed Time Between Filing and Disposition
Criminal Appeals	111	363.8 days
Civil Appeals	242	297.1
Advisory Opinions	2	276.0
Certifications	3	17.3
Original Applications	8	198.8
TOTALS	366	312.8 days

ELAPSED TIME BY DISPOSITION TYPE

Disposition Type	Number of Dispositions	Average Elapsed Time Between Filing and Disposition
Affirmed	184	356.7 days
Reversed	33	293.7
Reversed and Remanded	18	366.8
Modified	19	524.9
Voluntary Dismissal	71	181.9
Court Dismissal	31	262.4
Leave to Appeal Denied	3	101.0
Denied	5	112.2
Answered	1	252.0
Declined to Answer	1	300.0
TOTALS	366	312.8 days

ELAPSED TIME BY DISPOSITION METHOD

Disposition Method	Number of Dispositions	Average Elapsed Time Between Filing and Disposition
Voluntary Dismissal	71	181.9 days
Court Dismissal	31	262.4
Assigned Opinion	89	467.6
Per Curiam Opinion	66	319.3
Written Order	109	280.9
TOTALS	366	312.8 days

Source: Clerk of the Supreme Court and Administrative Office of the Courts

Court of Chancery

COURT OF CHANCERY

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown; that is, at one location in each county in the county seat.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, and the clearing of clouds on title, as well as commercial and contractual matters in general. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues in Superior Court.

Judges

One Chancellor and two Vice-Chancellors hold the Court of Chancery. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12 year terms. The Chancellor and Vice-Chancellors must be learned in the law and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers or pages, and law clerks. Each of the judges may appoint one Chief Deputy Register in Chancery in each county.

The Register of Wills acts as a Clerk of the Court of Chancery for probate matters. The majority of the Register's former judicial and quasijudicial power are now held by the Court of Chancery. A Register of Wills is elected in each county for that county. The Chancellor names a Chief Deputy Register of Wills for each county.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian. The Public Guardian serves, when appointed by the Court, as the guardian of the person and/or property of the aged, the mentally infirm and the physically incapacitated. Under the law, the Public Guardian is intended to be the guardian of last resort.

Caseload Trend

The number of cases handled by the Court of Chancery and the corresponding change from the previous fiscal year varied within the separate categories of work handled by the Court of Chancery (civil cases, miscellaneous matters and estates) during fiscal year 1980. The number of civil cases filed rose from 417 in FY 1979 to 440 in FY 1980, which was an increase of 5.5%. The 569 miscellaneous matters filed in FY 1980 was an increase of 95 filings from the FY 1979 total of 474 miscellaneous matters filed, representing an increase of 20.0%. However, the 1,757 estates filed in FY 1980 was actually a very slight decrease of 0.5% from the 1,766 filings in FY 1980. The Court of Chancery disposed of virtually the same number of civil cases in FY 1979(383) and FY 1980(384), with an increase of 8.1% in the number of civil cases pending from 695 at the end of FY 1979 to 751 at the end of FY 1980. The number of miscellaneous matters diposed of increased from 427 in FY 1979 to 483 in FY 1980, an increase of 13.1%. Despite this increase in the number of miscellaneous matters diposed of, the even larger increase in filings from FY 1979 to FY 1980 resulted in a net pending rise of 2.0% from 4,302 at the end of FY 1979 to 4,388 at the end of FY 1980. However, the 11.8% increase in estates closed from 1,657 in FY 1979 to 1,852 in FY 1980 led to a decrease of 3.8% in pending at the end of 1980 to 2,432 from the 2,527 estates pending at the end of FY 1979.

COURT OF CHANCERY

JUDICIARY

Chancellor
Hon. William Marvel (D, 9/29/88)
Carolyn Hazen, Secretary
(571-2443)

Vice-Chancellor
Hon. Maurice A. Hartnett, III (D, 9/29/88)
Shirley D. Wood, Secretary
Joyce D. Stockslager, Secretary
(736-4397, 571-2441)

Vice-Chancellor
Hon. Grover C. Brown (R, 5/9/85)
Mary Lou Wilcoxson, Secretary
(856-5338, 571-2442)

COURT OF CHANCERY

SUPPORT PERSONNEL

Court Reporters
Henry D. Skogmo, Chief
(571-2447)
Lorraine B. Marino
(571-2448)

Administrative Assistant
Dorothy Cordell
(571-2440)

Law Clerks
Mary Beth McNamara
(571-2444)
Timothy Nicholls
(571-2348)

ADDRESSES

Court of Chancery
134 Public Building
1020 King Street
Wilmington, Delaware 19801

Court of Chancery
48 The Green
Dover, Delaware 19901

Court of Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947

REGISTERS IN CHANCERY

	NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Registers in Chancery	John D. Kelly, III	Stanley Wayne Anthony	Harvey F. Donovan, Sr.
Chief Deputies	Jane L. Koke Milton Roger Holmes	Loretta Wooten	Mary P. Hill
Deputies	Reta Handlin Vacant	Lydia M. McClary	Lorene C. Brasure

ADDRESSES

Register in Chancery
M-32 Public Building
1020 King Street
Wilmington, Delaware 19801
(571-7540)

Register in Chancery
Kent County Courthouse
38 The Green
Dover, Delaware 19901
(736-2242)

Register in Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947
(856-7701, X250)

COURT OF CHANCERY

REGISTERS OF WILLS

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Registers of Wills Gerald E. Reilly	Ralph R. Smith	Wilson O. McCabe, Jr.
Chief Deputies Maryanne Cluff Grover C. Luttrell, Jr.	Betty A. Strobel	Isabelle P. Morris
Deputies Eleanor M. Riley	Emma D. Tarburton	Marie A. Scott Mears
Office Attorney Vivian Houghton		
ADDRESSES		
Register of Wills M-32 Public Building 1020 King Street Wilmington, Delaware 19801 (571-7545)	Register of Wills Kent County Courthouse 38 The Green Dover, Delaware 19901 (736-2233)	Register of Wills Sussex County Courthouse The Circle Georgetown, Delaware 19947 (856-7701)

COURT OF CHANCERY

FISCAL YEAR 1980
CIVIL CASES

	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle	501	334	312	523	+22
Kent	82	40	20	102	+20
Sussex	112	66	52	126	+14
State	695	440	384	751	+56

COMPARISON - FISCAL YEARS 1979-1980
CIVIL CASES

FILINGS

	1979	1980	Change	% Change
New Castle	316	334	+18	+ 5.7%
Kent	40	40	0	0.0%
Sussex	61	66	+ 5	+ 8.2%
State	417	440	+23	+ 5.5%

DISPOSITIONS

	1979	1980	Change	% Change
New Castle	299	312	+13	+ 4.3%
Kent	27	20	- 7	-25.9%
Sussex	57	52	- 5	- 8.8%
State	383	384	+ 1	+ 0.3%

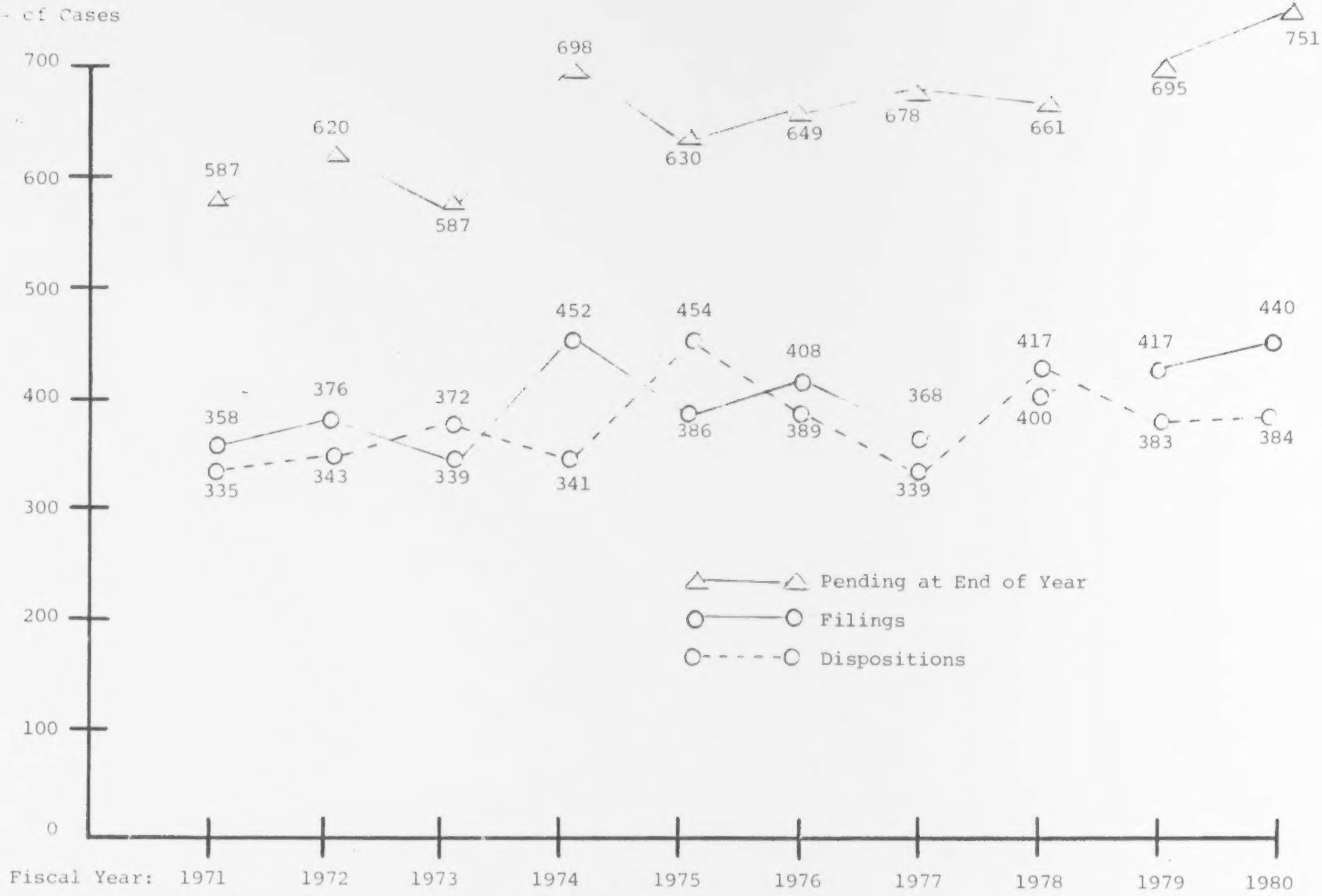
PENDING AT END OF YEAR

	1979	1980	Change	% Change
New Castle	501	523	+22	+ 4.4%
Kent	82	102	+20	+24.4%
Sussex	112	126	+14	+12.5%
State	695	751	+56	+ 8.1%

Source: Registers in Chancery

COURT OF CHANCERY

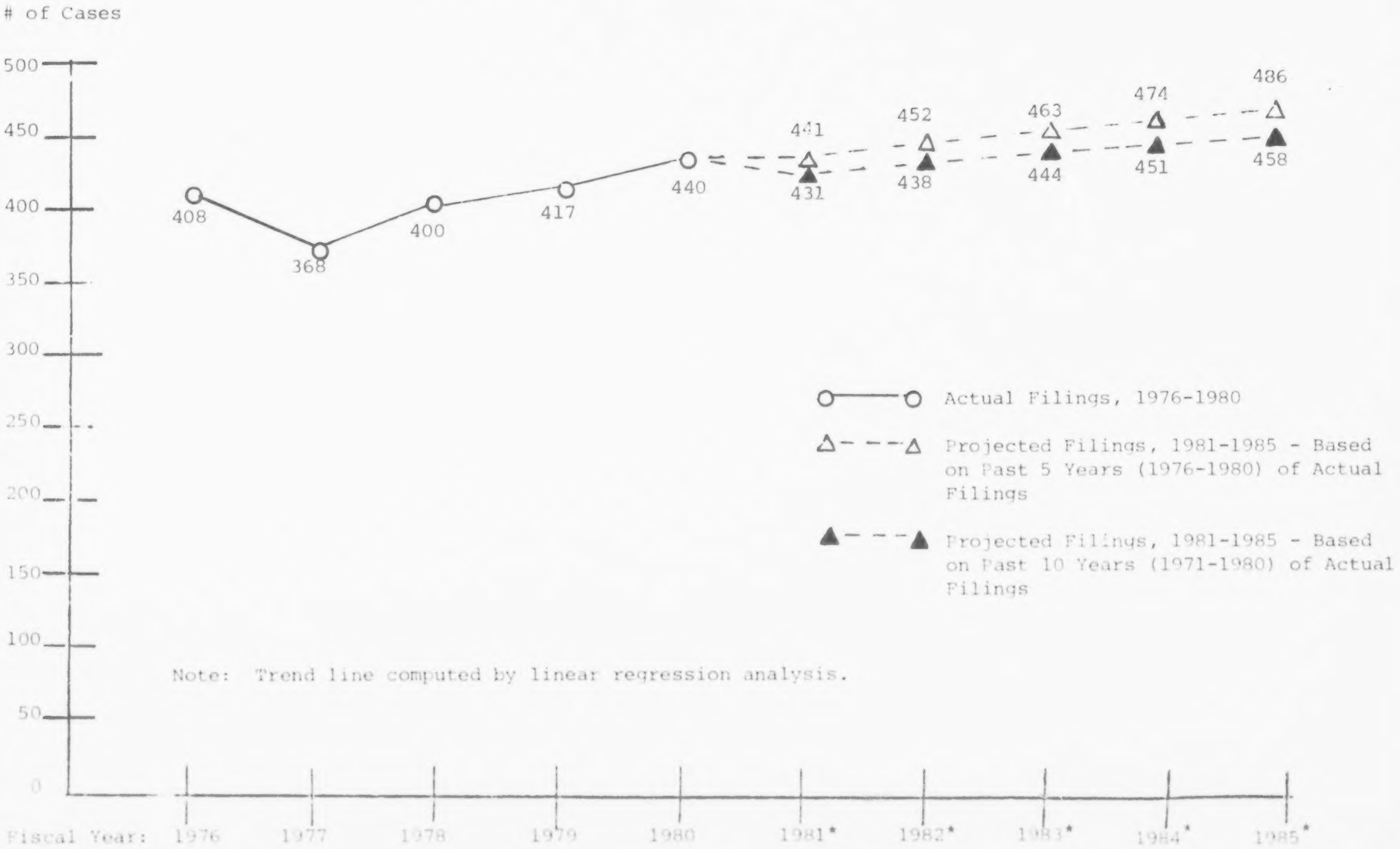
10-YEAR WORKLOAD TREND
CIVIL CASES



Source: Administrative Office of the Courts

COURT OF CHANCERY

5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Note: Trend line computed by linear regression analysis.

*Projected

Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1980
MISCELLANEOUS MATTERS

NEW CASTLE	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Guardians for Minors	549	90	118	521	-28
Guardians for Infirm	585	105	73	617	+32
Trustees for Mentally Ill	144	3	1	146	+ 2
Other Matters	299	24	8	315	+16
Trusts	1,448	87	113	1,422	-26
TOTALS	3,025	309	313	3,021	- 4

KENT	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Guardians for Minors	202	43	21	224	+22
Guardians for Infirm	98	14	9	103	+ 5
Trustees for Mentally Ill	11	1	0	12	+ 1
Other Matters	10	7	6	11	+ 1
Trusts	118	4	4	118	0
TOTALS	439	69	40	468	+29

SUSSEX	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Guardians for Minors	298	46	46	298	0
Guardians for Infirm	89	23	16	96	+ 7
Trustees for Mentally Ill	16	0	0	16	0
Other Matters	15	50	49	16	+ 1
Trusts	420	72	19	473	+53
TOTALS	838	191	130	899	+61

STATE	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Guardians for Minors	1,049	179	185	1,043	- 6
Guardians for Infirm	772	142	98	816	+44
Trustees for Mentally Ill	171	4	1	174	+ 3
Other Matters	324	81	63	342	+18
Trusts	1,986	163	136	2,013	+27
TOTALS	4,302	569	483	4,388	+86

Source: Registers in Chancery

COURT OF CHANCERY

COMPARISON - FISCAL YEARS 1979-1980
MISCELLANEOUS MATTERS

FILINGS

	1979	1980	Change	% Change
New Castle	273	309	+36	+13.2%
Kent	52	69	+17	+32.7%
Sussex	149	191	+42	+28.2%
State	474	569	+95	+20.0%

DISPOSITIONS

	1979	1980	Change	% Change
New Castle	303	313	+10	+ 3.3%
Kent	21	40	+19	+90.5%
Sussex	103	130	+27	+26.2%
State	427	483	+56	+13.1%

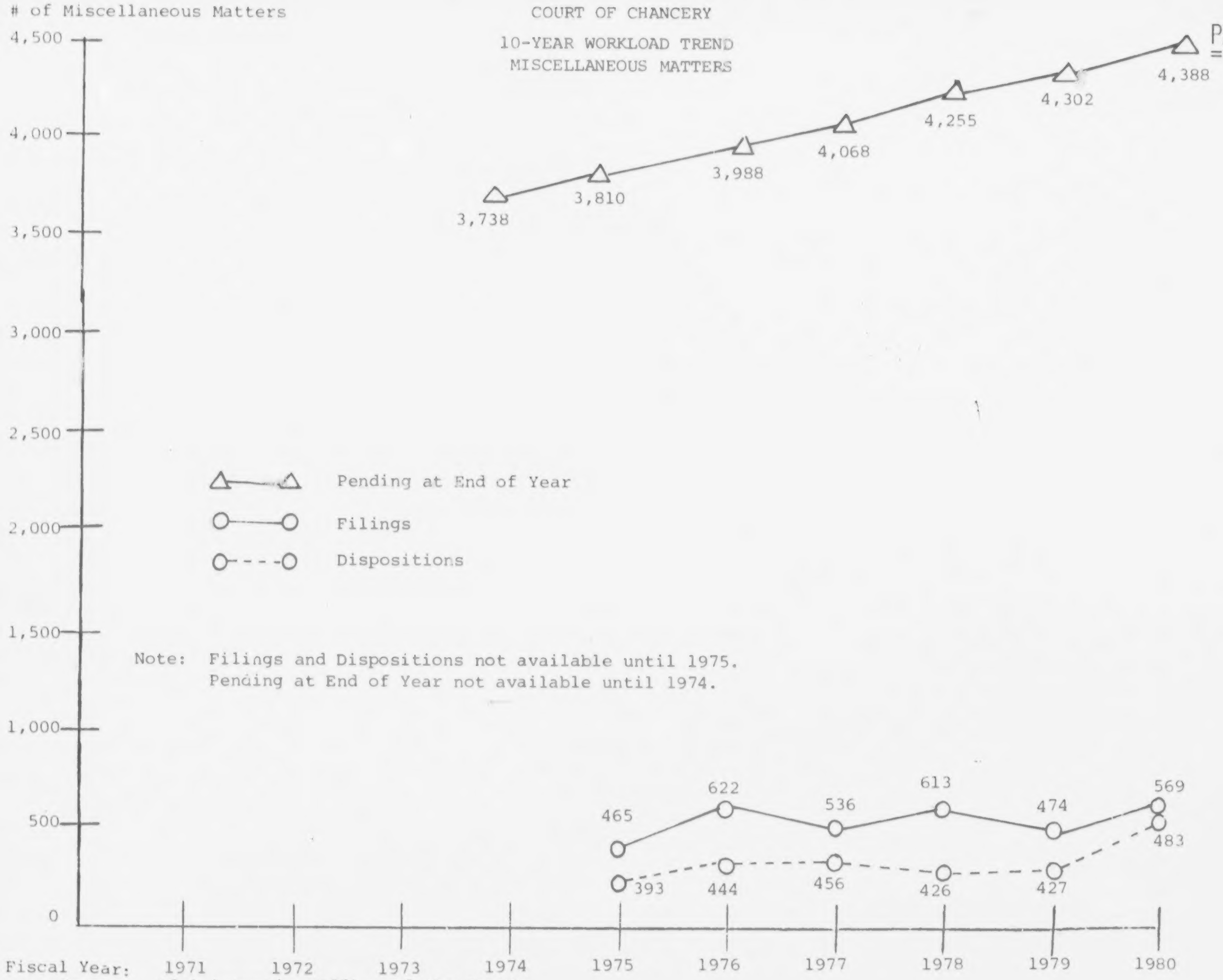
PENDING AT END OF YEAR

	1979	1980	Change	% Change
New Castle	3,025	3,021	- 4	- 0.1%
Kent	439	468	+29	+ 6.7%
Sussex	838	899	+61	+ 7.3%
State	4,302	4,388	+86	+ 2.0%

Source: Registers in Chancery

COURT OF CHANCERY

10-YEAR WORKLOAD TREND
MISCELLANEOUS MATTERS

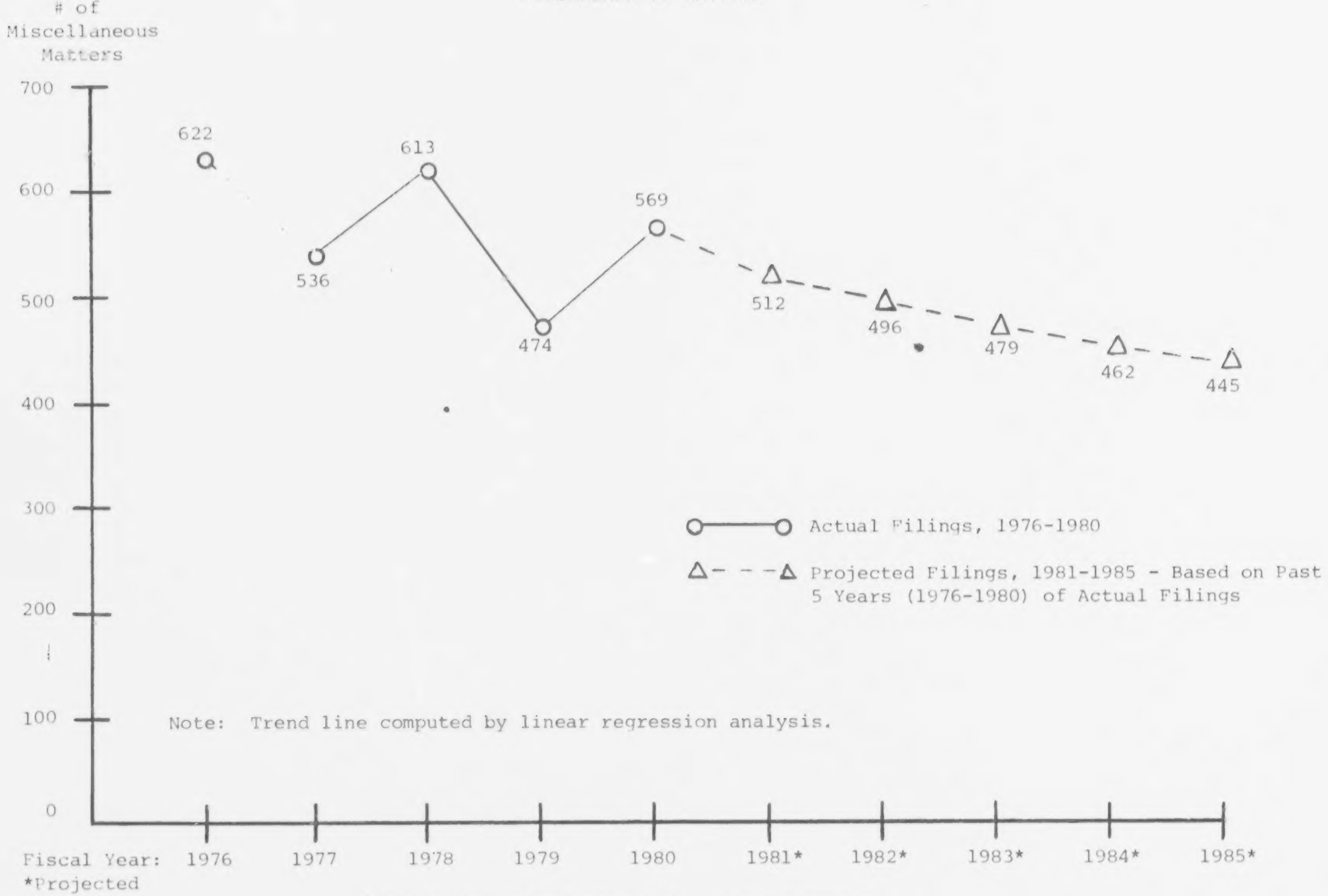


Note: Filings and Dispositions not available until 1975.
Pending at End of Year not available until 1974.

Source: Administrative Office of the Courts

COURT OF CHANCERY

5-YEAR WORKLOAD PROJECTION
MISCELLANEOUS MATTERS



Note: Trend line computed by linear regression analysis.

Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1980
ESTATES

	Pending 6-30-79	Filings	Dispositions	6-30-80	Change In Pending
New Castle	1,256*	1,107	1,202	1,161	-95
Kent	713	273	210	776	+63
Sussex	558	377	440	495	-63
State	2,527*	1,757	1,852	2,432	-95

COMPARISON - FISCAL YEARS 1979-1980
ESTATES

ESTATES OPENED

	1979	1980	Change	% Change
New Castle	1,084	1,107	+ 23	+ 2.1%
Kent	267	273	+ 6	+ 2.2%
Sussex	415	377	- 38	- 9.2%
State	1,766	1,757	- 9	- 0.5%

ESTATES CLOSED

	1979	1980	Change	% Change
New Castle	1,020	1,202	+182	+17.8%
Kent	245	210	- 35	-14.3%
Sussex	392	440	+ 48	+12.2%
State	1,657	1,852	+195	+11.8%

ESTATES REMAINING OPEN AT END OF YEAR

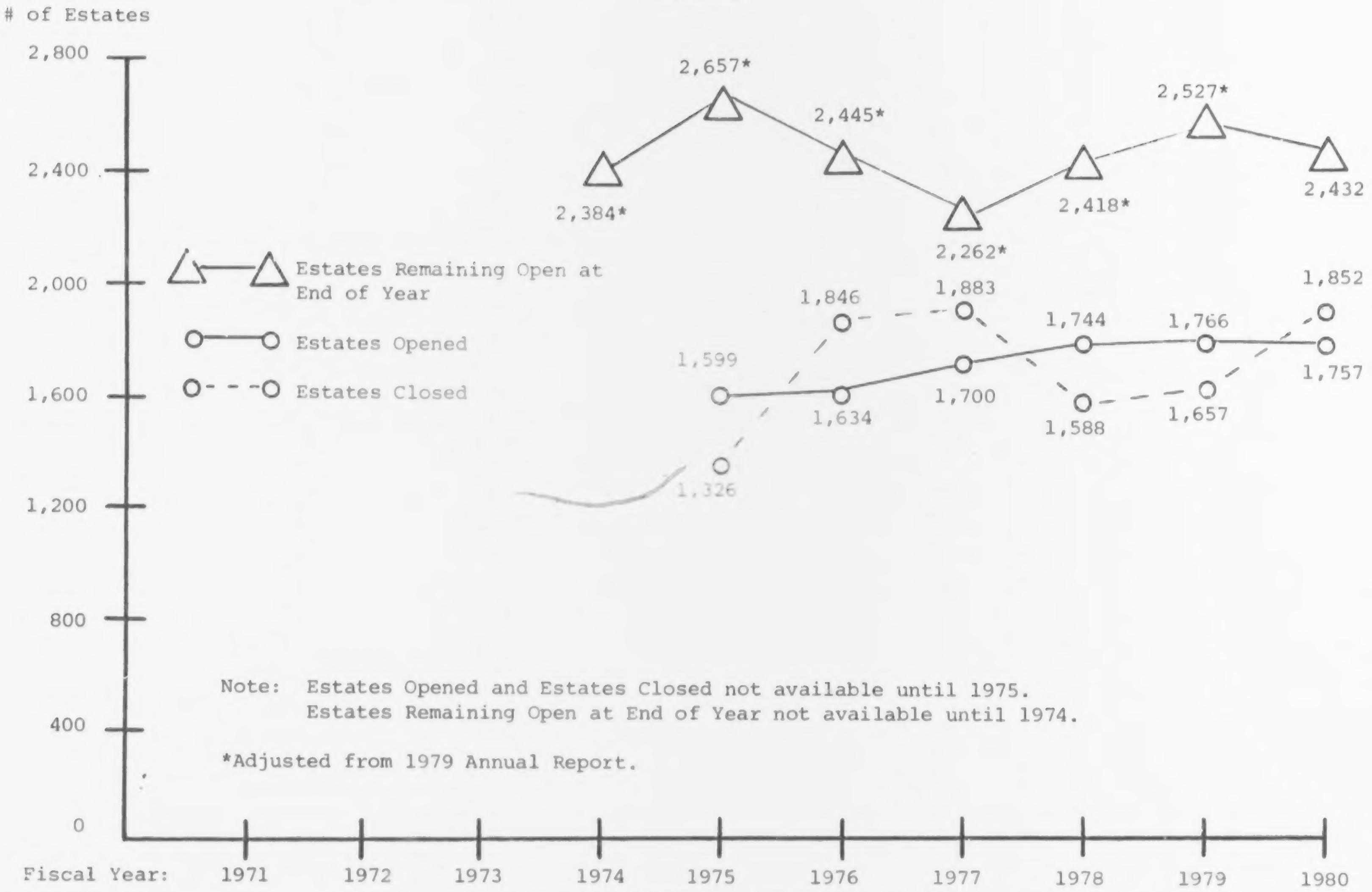
	1979	1980	Change	% Change
New Castle	1,256*	1,161	- 95	- 7.6%
Kent	713	776	+ 63	+ 8.8%
Sussex	558	495	- 63	-11.3%
State	2,527*	2,432	- 95	- 3.8%

*Adjusted from 1979 Annual Report.

Source: Registers of Wills

COURT OF CHANCERY

10-YEAR WORKLOAD TREND
ESTATES



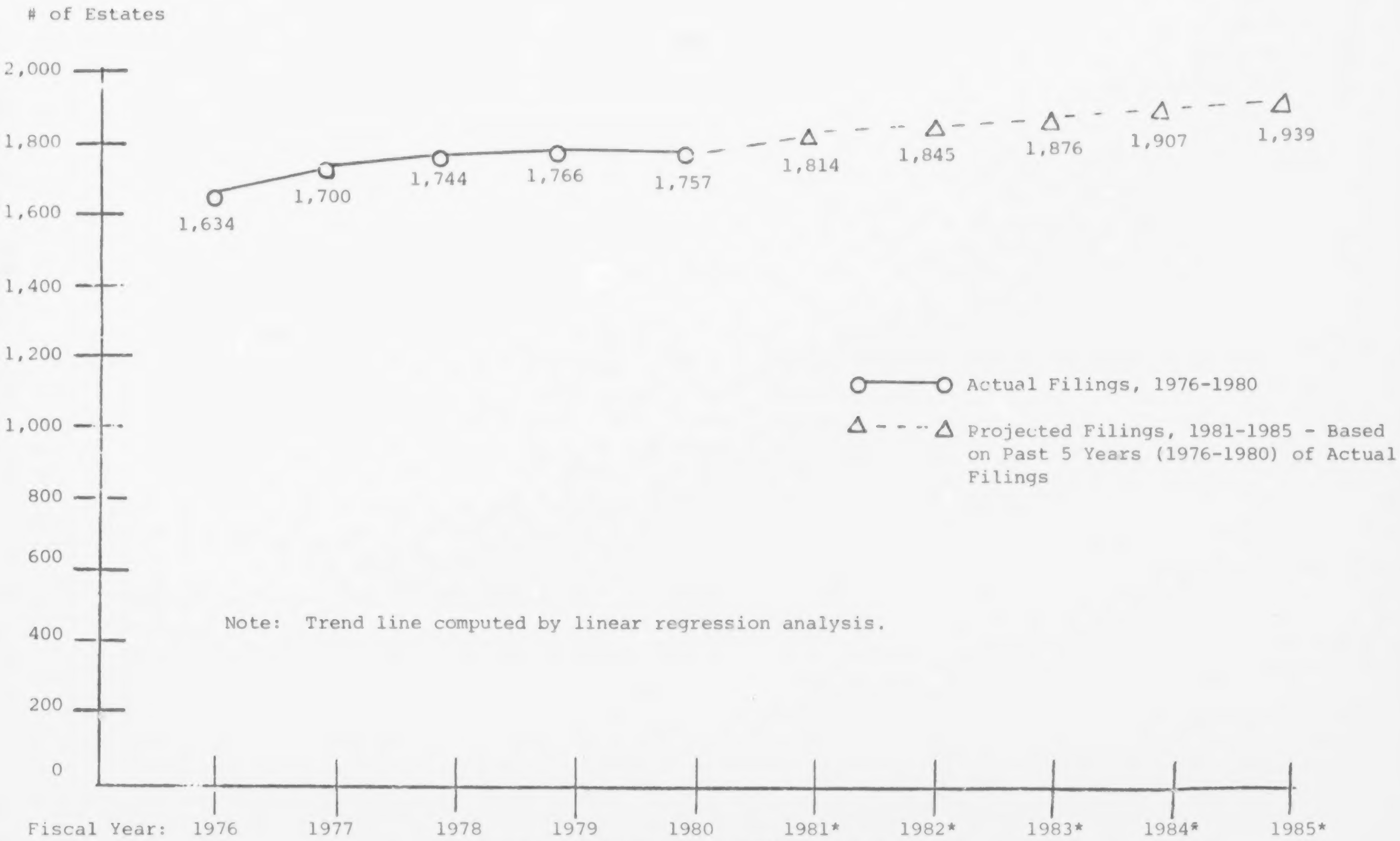
Note: Estates Opened and Estates Closed not available until 1975.
Estates Remaining Open at End of Year not available until 1974.

*Adjusted from 1979 Annual Report.

Source: Administrative Office of the Courts

COURT OF CHANCERY

5-YEAR WORKLOAD PROJECTION
ESTATES



Note: Trend line computed by linear regression analysis.

*Projected

Source: Administrative Office of the Courts

Public Guardian

PUBLIC GUARDIAN

Legal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, § 3991, of the Delaware Code:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure. The salary of the Public Guardian shall be $18,500.00 per annum, to be paid from the General Fund. The Chancellor, in his discretion, may require the Public Guardian to post bond."

Geographic Organization

The Office of the Public Guardian has responsibility for the entire state and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are spelled out in Title 12, § 3992, of the Delaware Code:

"The Public Guardian, when appointed as guardian by Court Order, shall:

1. Serve as a guardian for the property of aged, mentally or physically incapacitated persons, pursuant to § 3914 of this title;
2. Serve as a guardian for the person of aged, mentally or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or,
3. Serve as both guardian of the person and of property of such person."

The intent of the legislation creating the Office of the Public Guardian was to create a guardianship capability for those situations in which a person needing a guardian does not have any relative, friend, or other person interested in or capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would be best served by a neutral guardian.

Personnel

The Public Guardian is assisted by an administrative assistant and one caseworker.

Caseload

In the year of operation July 1, 1979, to June 30, 1980, the office received 204 referrals. Of this number, 11 were determined to need the services of the Public Guardian as a guardian, and petitions were presented in the appropriate counties. As of June 30, 1980, the Public Guardian had responsibility for a total of 39 wards.

The remaining 193 cases were determined not to need guardianship for the solution of their problems and were served by mobilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client to take some voluntary action on his own behalf, or simply offering counselling to help the client solve his own problems. Their services were provided by two caseworkers who are paid solely from Federal funds (Title XX of the Social Security Act). This program is maintained by the Office of the Public Guardian as an adjunct to its primary function of legal guardianship, because of the absence of any adult protective service program in the Department of Health and Social Services. About eighty-five percent of all individuals referred to the Office of the Public Guardian are in need of protective services rather than legal guardianship.

Effective July 1, 1980, the Title XX was terminated. The 2 caseworker positions were not picked up in the State budget, and there is no further service given to cases not requiring guardianship as a result. Furthermore, the existing caseload of wards has dictated a cut-back of about 75 percent in the number of new guardianship referrals which can be handled in Fiscal Year 1981.

PUBLIC GUARDIAN
11th Floor
Wilmington State Office Building
820 North French Street
Wilmington, DE 19801
(571-2990)

PERSONNEL

Public Guardian
Thomas J. Posatko

Administrative Assistant
Barbara A. Walker

Caseworker
Patricia E. Gesler

PUBLIC GUARDIAN
FISCAL YEAR 1980
WORKLOAD

	Pending 6-30-79	New Referrals	Cases Closed	Pending 6-30-80	Change In Pending
Guardianships	40	11	12	39	- 1
Investigations	48	193	235	6	-42
TOTALS	88	204	247	45	-43

COMPARISON - FISCAL YEARS 1979-1980
WORKLOAD

NEW REFERRALS

	1979	1980	Change	% Change
Guardianships	8	11	+ 3	+37.5%
Investigations	111	193	+82	+73.9%
TOTALS	119	204	+85	+71.4%

CASES CLOSED

	1979	1980	Change	% Change
Guardianships	9	12	+ 3	+ 33.3%
Investigations	101	235	+134	+132.7%
TOTALS	110	247	+137	+124.5%

PENDING AT END OF YEAR

	1979	1980	Change	% Change
Guardianships	40	39	- 1	- 2.5%
Investigations	48	6	- 42	-87.5%
TOTALS	88	45	- 43	-48.9%

Source: Office of the Public Guardian.

Superior Court

SUPERIOR COURT

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over adoptions and terminations of parental rights which were filed before September 9, 1980, and also over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court, administrative agencies such as the Industrial Accident Board, Unemployment Insurance Appeal Board, Alcohol Beverage Control Commission, Tax Appeal Board, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard as trials de novo (second trials) in Superior Court. Appeals from Superior Court are argued on the record before the Supreme Court.

Judges

Number: There are eleven judges appointed to the Superior Court bench; one is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed. There can not be more than a majority of one as far as political affiliation of the Judges, with the affiliation of the Judges to be divided between the major political parties.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law and must be members of the Delaware Bar.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

An elected Prothonotary for each county serves as Clerk of Superior Court for that county. The Prothonotary is the record keeper for Superior Court, and as such, the Prothonotary is directly involved with the civil court calendar. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the courts and for the Attorney General. Further, the Prothonotary's Office is charged with the security, care and custody of Court's exhibits.

Elected Sheriffs, one per county, also serves Superior Court.

Caseload Trend

Superior Court was able, in FY 1980 to dispose of 87.4% of its criminal cases in New Castle County (86.2% statewide) within 120 days of arrest, the time interval specified by the Chief Justice's Speedy Trial Directive. The Court was able to achieve this rate because the Court controls its own criminal calendar through the Case Scheduling Office and the Criminal Office Judge, and because of the policy in New Castle County of regularly assigning 5 of New Castle County's 8 judges to criminal matters and 3 to civil matters. The total number of criminal cases filed in FY 1980 in Superior Court rose by over 6% from FY 1979 while the number of criminal cases disposed of decreased by almost 7%. Thus, the Court did not dispose of as many criminal cases as were filed, and thus the number of pending cases statewide rose by 12.3%. Superior Court held 255 criminal trials in FY 1980, down from the total of 325 criminal trials held in FY 1979.

However, Superior Court's emphasis on criminal cases has continued to affect its effort to deal with its civil jurisdiction. The Court experienced a 6.6% rise in the number of filings statewide, and while the Court disposed of 11.2% more civil cases in FY 1980 than it did in FY 1979, it still was not able to dispose of as many cases as were filed. Thus, the number of civil cases pending adjudication rose by more than 5% in FY 1980.

SUPERIOR COURT

President Judge
Hon. Albert J. Stiftel (D, 8/8/90)
Ann Lafferty, Secretary
(571-2355)

New Castle County Resident Judge
Hon. Andrew D. Christie (R, 4/29/81)
Elaine M. Ryan, Secretary
(571-2358)

Associate Judges
Hon. Robert C. O'Hara (R, 3/23/90)
Doris Myers, Secretary
(571-2370)
Hon. Vincent A. Bifferato (D, 8/5/92)
Betty Gilson, Secretary
(571-2361)
Hon. Clarence W. Taylor (R, 7/1/84)
Carol Edwards, Secretary
(571-2374)
Hon. Joseph T. Walsh (D, 7/1/84)
Linda Flohr, Secretary
(571-2369)
Hon. Bernard Balick (D, 9/18/85)
Ivone Marvel, Secretary
(571-2367)
Hon. Joseph J. Longobardi (R, 10/25/86)
Anne Marie Brown, Secretary
(571-2544)

Kent County Resident Judge
Hon. George R. Wright (R, 7/1/84)
Janet L. Case, Secretary
(736-5331)

Associate Judges
Hon. William G. Bush, III (D, 9/12/84)
Eileen Masino, Secretary
(736-5331)

Sussex County Resident Judge
Hon. Claud L. Tease (R, 10/25/86)
Mary Ellen Greenley, Secretary
(856-5256)

SUPERIOR COURT

SUPPORT PERSONNEL

Administrator
Frederick Kirch
S. Maureen Golden, Secretary
(571-2380)

Administrative Assistant
Doris E. Harris
(571-2380)

	NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Accountant	Michael E. Indellini (571-2376)		
Case Scheduling Office	Mary Ann Hoff, Chief (571-2414)	Joyce C. Burnett (736-5353)	Lisa I. Burns (856-5525)
Law Clerks	Marilou Ghecas Muriel Testa Scott Green Wayne Marvel	Mark Bunitsky	John Cordrey
Jury Commissioners	John N. Russo Delores G. Tatman	Wallace F. McFaul, Jr. John R. McDonald	Ralph L. Swain Walter M. Betts
Presentence Officers	Frank T. Miller, Chief Gregory L. Fullhart, Assistant Chief William G. Echols, Assistant Chief (571-2420)	Ralph D. Knotts, Jr., Chief (736-5275)	Robert D. Downes, Chief (856-5549)
Court Reporters	Morris D. Pearson, Chief (571-2390)	Debra S. Mitchell, Chief (736-5311)	

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
ADDRESSES		
Superior Court Public Building 1020 King Street Wilmington, DE 19801	Superior Court Kent County Courthouse 38 The Green Dover, DE 19901	Superior Court Sussex County Courthouse The Circle Georgetown, DE 19947
Prothonotaries		
George J. Fisher	John H. Shaffer	Lawrence E. Sammons
Chief Deputies		
Elizabeth O. Richeson Frank D. Vari	Delores A. Chadwick	Carol B. Thomas
Deputies		
Sharon Agnew	Suzanne B. Brode	Myrtle E. Shockley
Barbara Hrinak		Sarah D. Washington
Wilma McDowell		
Raymond Wilson		
ADDRESSES		
Prothonotary Public Building 1020 King Street Wilmington, DE 19801 (571-2396, 571-7575)	Prothonotary Kent County Courthouse 38 The Green Dover, DE 19901 (736-5328)	Prothonotary Sussex County Courthouse The Circle Georgetown, DE 19947 (856-7701, X235)
Sheriffs		
William I. Houghton	George J. Dill	Ray H. Elliott
Chief Deputy		
R. Arline Miller		Stephen E. Rogers

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Chief Deputy Sheriff
Edward F. Bonk, Sr.

Deputy
Clara R. Torrence

KENT COUNTY

SUSSEX COUNTY

ADDRESSES

Sheriff
Public Building
1020 King Street
Wilmington, DE 19801
(571-7564, 571-7565)

Sheriff
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-2000, X212)

Sheriff
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-7701, X240)

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL CASES

	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle	803	2,380	2,198	985	+182
Kent	316	407	445	278	- 38
Sussex	62	328	327	63	+ 1
State	1,181	3,115	2,970	1,326	+145

COMPARISON - FISCAL YEARS 1979-1980
CRIMINAL CASES

FILINGS

	Number of Defendants			
	1979	1980	Change	% Change
New Castle	2,243	2,380	+137	+ 6.1%
Kent	422	407	- 15	- 3.6%
Sussex	285	328	+ 43	+15.1%
State	2,950	3,115	+165	+ 5.6%

DISPOSITIONS

	Number of Defendants			
	1979	1980	Change	% Change
New Castle	2,440	2,198	-242	- 9.9%
Kent	428	445	+ 17	+ 4.0%
Sussex	318	327	+ 9	+ 2.8%
State	3,186	2,970	-216	- 6.8%

PENDING AT END OF YEAR

	Number of Defendants			
	1979	1980	Change	% Change
New Castle	803	985	+182	+22.7%
Kent	316	278	- 38	-12.0%
Sussex	62	63	+ 1	+ 1.6%
State	1,181	1,326	+145	+12.3%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL FILINGS
EXPLANATORY NOTES

1. All figures represent numbers of defendants only; they should not be confused with numbers of indictments, numbers of cases, criminal action numbers, or any other such figures.

2. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.

3. In Kent County only, each charge indicted against each defendant is returned as a separate indictment. Due to this practice, each person indicted at a Grand Jury session is counted as one defendant, no matter how many charges are indicted against that defendant, and without regard to later actions of the Attorney General which lead to separate trials.

4. Informations represent defendants who have waived indictment.

5. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties itself holds jury trials, there are no transfers in those 2 counties.

6. Although New Informations are given separate criminal action numbers by Superior Court, they are not counted in these figures since they represent amendments to charges facing defendants already pending before the court, not new defendants. Inclusion of New Informations as filings should artifically inflate the number of defendants filed in any time period.

7. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
   -Mistrial
   -Hung Jury
   -Motion for new trial granted
   -Guilty plea withdrawn
   -Lower court appeal reinstated after being dismissed
   -Conviction overturned by Supreme Court; remanded to Superior Court for new trial

8. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.

SUPERIOR COURT
FISCAL YEAR 1980
CRIMINAL FILINGS

NEW CASTLE

# of Defendants brought to Superior Court By:

Month	Indictment	Information	Appeal	Transfer	Reinstatement	Severance	TOTALS
July 1979	93	11	10	21	3	0	136
August 1979	93	1	15	28	2	0	139
September 1979	86	16	13	26	6	0	147
October 1979	315	19	14	21	5	0	374
November 1979	169	7	9	24	0	0	209
December 1979	119	8	7	25	1	0	160
January 1980	113	21	10	15	2	3	164
February 1980	115	15	11	20	0	0	161
March 1980	101	9	13	22	3	0	148
April 1980	236	11	11	22	2	13	295
May 1980	177	4	9	21	2	0	213
June 1980	167	12	11	35	3	4	232
TOTALS	1,784	134	133	280	29	20	2,380
Percentage of Total:	75.0%	5.6%	5.6%	11.8%	1.2%	0.8%	100.0%

KENT

# of Defendants brought to Superior Court By:

Month	Indictment	Information	Appeal	Transfer	Reinstatement	Severance	TOTALS
July 1979	24	1	2	0	0	0	27
August 1979	21	4	1	0	1	0	27
September 1979	16	1	0	0	0	0	17
October 1979	19	2	3	0	0	0	24
November 1979	45	1	1	0	3	0	50
December 1979	14	1	1	0	1	0	17
January 1980	31	1	2	0	0	2	36
February 1980	29	5	1	0	0	0	35
March 1980	66	9	1	0	0	0	76
April 1980	0	5	2	0	0	0	7
May 1980	39	2	0	0	0	0	41
June 1980	46	2	0	0	2	0	50
TOTALS	350	34	14	0	7	2	407
Percentage of Total:	86.0%	8.4%	3.4%	0.0%	1.7%	0.5%	100.0%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT
FISCAL YEAR 1980
CRIMINAL FILINGS

SUSSEX

# of Defendants brought to Superior Court By:

Month	Indictment	Information	Appeal	Transfer	Reinstatement	Severance	TOTALS
July 1979	21	3	5	0	1	0	30
August 1979	30	0	6	0	2	0	38
September 1979	17	0	3	0	4	0	24
October 1979	22	0	2	0	0	0	24
November 1979	14	0	2	0	0	0	16
December 1979	13	1	9	0	0	0	23
January 1980	27	7	2	0	0	0	36
February 1980	23	5	3	0	0	0	31
March 1980	21	6	1	0	0	0	28
April 1980	31	5	1	0	0	2	39
May 1980	17	4	1	0	0	0	22
June 1980	10	5	2	0	0	0	17
TOTALS	246	36	37	0	7	2	328
Percentage of Total:	75.0%	11.0%	11.3%	0.0%	2.1%	0.6%	100.0%

STATE

# of Defendants brought to Superior Court By:

Month	Indictment	Information	Appeal	Transfer	Reinstatement	Severance	TOTALS
July 1979	138	15	17	21	4	0	195
August 1979	144	5	22	28	5	0	204
September 1979	119	17	16	26	10	0	188
October 1979	356	21	19	21	5	0	422
November 1979	228	8	12	24	3	0	275
December 1979	146	10	17	25	2	0	200
January 1980	171	29	14	15	2	5	236
February 1980	167	25	15	20	0	0	227
March 1980	188	24	15	22	3	0	252
April 1980	267	21	14	22	2	15	341
May 1980	233	10	10	21	2	0	276
June 1980	223	19	13	35	5	4	299
TOTALS	2,380	204	184	280	43	24	3,115
Percentage of Total:	76.4%	6.5%	5.9%	9.0%	1.4%	0.8%	100.0%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
EXPLANATORY NOTES

1. All figures represent numbers of defendants only; they should not be confused with numbers of cases, criminal action numbers, or any other such figures.

2. A defendant is defined as an individual named in an indictment; an individual named in three indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.

3. The trial dispositions refer to the number of defendants whose charges were disposed of at a trial, not the number of trials per se. The date of disposition is the trial date, unless the decision is reserved, in which case it is the date when the opinion is handed down.

4. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. If a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea, and his disposition date is the date of the plea.

5. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a New Information. Since the New Information is a further action in an existing case and is not counted as a separate filing, so also the nol-pros is not the primary disposition. Counting a defendant as nol-prossed and as having entered a plea to a new information would mean counting two dispositions for one case.

6. Only nol-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, or reinstatement are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court. Counting them as dispositions would be erroneously counting dispositions for cases which were never filed.

7. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to lower court. ADDR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came.

8. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.

9. Other types of dispositions include consolidations and diversions. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, who has the charges tried together will receive one trial disposition and one consolidation disposition. Diversions represent those defendants who are charged with driving under the influence and are first time offenders. The defendants elect to enroll in a rehabilitation program and waive their right to a speedy trial. If the individual satisfactorily completes the program and pays all fees, the driving under the influence charge will be nolle prossed.

10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed. Unindicted nolle prosequis are not counted as dispositions because they are not counted as filings until an indictment or information is filed.

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS

NEW CASTLE

# of Defendants Disposed of By:

Month	Trial	Guilty Plea	Nolle Prosequi	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS	Unindicted Nolle Prosequi
July 1979	20	89	48	4	3	0	1	0	165	34
August 1979	10	70	51	0	1	0	0	0	132	44
September 1979	14	99	48	3	3	0	1	0	168	105
October 1979	19	112	66	0	3	1	0	0	201	29
November 1979	13	92	38	1	3	0	1	0	148	39
December 1979	14	107	46	2	3	0	1	0	173	48
January 1980	19	172	94	2	3	0	1	1	292	51
February 1980	13	112	41	1	3	0	0	0	170	40
March 1980	16	119	71	1	4	0	1	1	213	91
April 1980	7	93	45	1	6	0	1	0	153	27
May 1980	20	92	57	2	4	1	0	0	176	61
June 1980	21	125	52	4	1	1	2	1	207	38
TOTALS	186	1,282	657	21	37	3	9	3	2,198	607
Percentage of Total:	8.5%	58.3%	29.9%	1.0%	1.7%	0.1%	0.4%	0.1%	100.0%	

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS

KENT

# of Defendants Disposed of By:

Month	Trial	Guilty Plea	Nolle Prosequi	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS	Unindicted Nolle Prosequi
July 1979	3	31	21	0	0	0	0	0	55	0
August 1979	2	19	9	0	0	0	0	0	30	1
September 1979	1	26	11	1	0	0	0	0	39	0
October 1979	12	18	1	0	1	0	0	0	32	8
November 1979	3	20	6	0	1	1	0	0	31	3
December 1979	3	15	3	0	0	0	0	0	21	2
January 1980	3	22	13	0	1	0	0	0	39	1
February 1980	6	39	2	1	0	0	0	0	48	0
March 1980	1	26	9	0	0	0	0	0	36	2
April 1980	4	26	4	0	1	0	0	1	36	0
May 1980	2	33	10	0	0	0	0	1	46	2
June 1980	2	25	5	0	0	0	0	0	32	1
TOTALS	42	300	94	2	4	1	0	2	445	20
Percentage of Total:	9.4%	67.4%	21.1%	0.4%	0.9%	0.2%	0.0%	0.4%	100.0%	

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS

SUSSEX

# of Defendants Disposed of By:

Month	Trial	Guilty Plea	Nolle Prosequi	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS	Unindicted Nolle Prosequi
July 1979	1	14	5	2	0	0	0	0	22	N.A.
August 1979	1	6	3	0	3	0	0	0	13	N.A.
September 1979	5	24	3	1	0	0	0	0	33	N.A.
October 1979	2	15	7	0	0	0	0	0	24	1
November 1979	0	17	5	0	0	0	0	0	22	3
December 1979	0	19	3	2	0	0	0	0	24	4
January 1980	2	16	4	0	0	0	0	0	22	5
February 1980	6	21	7	1	0	0	0	0	35	6
March 1980	2	23	5	0	0	0	0	0	30	8
April 1980	2	22	8	0	2	0	0	0	34	5
May 1980	1	20	6	0	1	0	0	0	28	3
June 1980	5	31	3	0	1	0	0	0	40	9
TOTALS	27	228	59	6	7	0	0	0	327	44
Percentage of Total:	8.3%	69.7%	18.0%	1.8%	2.1%	0.0%	0.0%	0.0%	100.0%	

N.A. = Not Available
ADRR = Appeal Dismissed, Record Remanded.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS

STATE

# of Defendants Disposed of By:

Month	Trial	Guilty Plea	Nolle Prosequi	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS	Unindicted Nolle Prosequi
July 1979	24	134	74	6	3	0	1	0	242	34*
August 1979	13	95	63	0	4	0	0	0	175	45*
September 1979	20	149	62	5	3	0	1	0	240	105*
October 1979	33	145	74	0	4	1	0	0	257	38
November 1979	16	129	49	1	4	1	1	0	201	45
December 1979	17	141	52	4	3	0	1	0	218	54
January 1980	24	210	111	2	4	0	1	1	353	57
February 1980	25	172	50	3	3	0	0	0	253	46
March 1980	19	168	85	1	4	0	1	1	279	101
April 1980	13	141	57	1	9	0	1	1	223	32
May 1980	23	145	73	2	5	1	0	1	250	66
June 1980	28	181	60	4	2	1	2	1	279	48
TOTALS	255	1,810	810	29	48	4	9	5	2,970	671*
Percentage of Total:	8.6%	60.9%	27.3%	1.0%	1.6%	0.1%	0.3%	0.2%	100.0%	

*Unindicted nolle prosequi information for Sussex County not available for July-September, 1979.

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
TRIAL DISPOSITIONS - PART ONE

	# of Defendants Disposed of By:						# of Defendants:							
	Jury Trial		Non-Jury Trial		Total		Guilty		Not Guilty		No Final Disposition*		Total	
New Castle	173	93.0%	13	7.0%	186	100.0%	115	61.8%	56	30.1%	15	8.1%	186	100.0%
Kent	35	83.3%	7	16.7%	42	100.0%	33	78.6%	9	21.4%	0	0.0%	42	100.0%
Sussex	10	37.0%	17	63.0%	26	100.0%	14	51.9%	11	40.7%	2	7.4%	27	100.0%
State	218	85.5%	37	14.5%	255	100.0%	162	63.5%	76	29.8%	17	6.7%	255	100.0%

*Hung Juries and Mistrials

TRIAL DISPOSITIONS - PART TWO

	# of Defendants Disposed of By: Jury Trial										Non-Jury Trial						
	Guilty	Guilty-LIO	Pled Guilty of Trial	Pled Guilty-LIO at Trial	Not Guilty	Dismissal at Trial	Nolle Prosequi at Trial	Hung Jury	Mistrial	Directed Verdict of Acquittal	Guilty	Guilty-LIO	Pled Guilty at Trial	Pled Guilty-LIO at Trial	Not Guilty	Dismissal at Trial	TOTALS
New Castle	79	13	5	6	34	3	18	13	2	0	11	1	0	0	0	1	186
Kent	22	1	2	3	6	0	1	0	0	0	3	2	0	0	2	0	42
Sussex	4	0	0	0	1	2	0	0	2	1	7	3	0	0	7	0	27
State	105	14	7	9	41	5	19	13	4	1	21	6	0	0	9	1	255

LIO = Lesser Included Offense

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
GUILTY PLEA DISPOSITIONS
EXPLANATORY NOTES

1. The following guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.

2. "PG-Most Serious" indicates that the defendant pled guilty to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.

3. "PG-LIO" denotes that a defendant pled guilty to a lesser included offense of the most serious charge. Pleas of guilty to amended informations are counted in with the PG-LIO's.

4. "PG-Lesser" indicates a plea of guilty to a lesser charge of the same indictment or other filing.

5. "PG-LIO Lesser" means that the defendant pled guilty to a lesser included offense of a lesser charge of a multi-count indictment or other filing. This is the weakest type of plea.

6. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.

7. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General. This is always a reduced charge.

8. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to an LIO is counted in with the PG-LIO's.

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS

GUILTY PLEA DISPOSITIONS

# of Defendants Who:

	PG- All		PG- Most Serious		PG- LIO		PG- Lesser		PG- LIO-Lesser		PG- NI		PG- Information		TOTALS	
New Castle	81	6.3%	338	26.4%	435	33.9%	128	10.0%	35	2.7%	69	5.4%	196	15.3%	1,282	100.0%
Kent	24	8.0%	65	21.7%	135	45.0%	29	9.7%	8	2.7%	5	1.7%	34	11.3%	300	100.0%
Sussex	26	11.4%	54	23.7%	103	45.2%	7	3.1%	2	0.9%	1	0.4%	35	15.4%	228	100.0%
State	131	7.2%	457	25.2%	673	37.2%	164	9.1%	45	2.5%	75	4.1%	265	14.6%	1,810	100.0%

NOLLE PROSEQUI DISPOSITIONS - PART ONE*

	# of Defendants With Nolle Prosequis by Special Condition		# of Defendants With Nolle Prosequis by Merit		Total # of Defendants With Nolle Prosequis	
New Castle	273	41.6%	384	58.4%	657	100.0%
Kent	29	30.9%	65	69.1%	94	100.0%
Sussex	12	20.3%	47	79.7%	59	100.0%
State	314	38.8%	496	61.2%	810	100.0%

*Nolle prosequis for indicted defendants only.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
NOLLE PROSEQUI DISPOSITIONS - PART TWO*

	Number of Defendants With Nolle Prosequis by Special Condition									Number of Defendants With Nolle Prosequis by Merit												
	Guilty of Other Charges, Different Indictment	Tried on Same Charges, Other Court	Reindicted	Placed on AG's Probation	Restitution	Placed in Custody of Other Jurisdiction	Indicted on Other Charges	Without Prejudice	Other	Codefendant Guilty	Granted Immunity, AG's Witness	Defense Valid	Prosecutive Merit	Police Problems	Victim/Witness Availability/Deceased	Victim/Witness Attitude/Credibility	Due Process	Insufficient Evidence	Evidence Related	Wrong Person Indicted	Other	TOTALS
New Castle	124	26	42	51	5	8	8	2	7	21	1	3	68	3	57	39	4	129	1	4	54	657
Kent	17	4	0	6	1	0	0	0	1	3	0	0	22	4	12	4	0	18	1	0	1	94
Sussex	Not Available									Not Available												59
State	Not Available									Not Available												810

*Nolle Prosequis for indicted defendants only.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
DISPOSITIONS BY OFFENSE TYPE

NEW CASTLE

# of Defendants Disposed of By:

	Trial				Guilty					
Offense	G	NG	NFD	Total	Plea	NP	Dismissal	ADRR	Other	TOTALS
Crimes of Violence										
Murder 1st	3	0	0	3	10	9	0	0	0	22
Murder 2nd	1	0	0	1	6	0	0	0	0	7
Manslaughter	0	0	0	0	0	0	0	0	0	0
Criminally Negligent Homicide	1	1	0	2	4	0	0	0	0	6
Attempted Murder 1st/2nd	2	0	0	2	3	2	0	0	0	7
Assault 1st	6	1	0	7	18	11	0	0	1	37
Assault 2nd	6	3	1	10	28	10	1	0	0	49
Reckless Endangering 1st	1	0	0	1	17	4	0	0	0	22
Rape 1st	4	3	0	7	7	8	0	0	0	22
Rape 2nd	5	2	1	8	7	3	0	0	0	18
Sodomy 1st/2nd	1	0	0	1	1	1	0	0	0	3
Kidnapping 1st/2nd	1	0	1	2	11	2	0	0	0	15
Robbery 1st	10	5	1	16	33	30	0	0	0	79
Robbery 2nd	4	4	2	10	20	19	2	0	0	51
Drug Offenses										
Delivery	4	1	0	5	75	21	0	0	0	101
Possession W/Intent to Deliver	7	1	1	9	40	26	2	0	0	77
Possession NN Schedule I	1	0	0	1	23	6	0	0	0	30
Other Drug Offenses	2	1	0	3	57	21	0	0	0	81
Other Grand Jury Offenses										
Burglary 1st/2nd/3rd	13	10	2	25	219	92	4	0	1	341
Theft/Shoplifting/RSP/Forgery	13	2	3	18	295	146	3	0	1	463
All Weapons Offenses	5	3	0	8	60	30	0	0	0	98
Other Grand Jury Offenses	4	5	0	9	211	53	1	0	0	274
Appeal and Transfer Cases										
DUI/CUI	2	1	0	3	13	6	0	2	9	33
Other Traffic Offenses	7	6	0	13	79	52	4	26	1	175
Non-Traffic Offenses	13	6	3	22	45	105	4	9	2	187
TOTALS	116	55	15	186	1,282	657	21	37	15	2,198

G = Guilty
NG = Not Guilty
NFD = No Final Disposition (Hung Juries, Mistrials)
NP = Nolle Prosequi
ADRR = Appeal Dismissed, Recorded Remanded
OTHER = Includes remands, transfer, diversions and consolidations
NN = Non-Narcotic
RSP = Receiving Stolen Property
DUI/CUI = Driving Under the Influence/Control Under the Influence

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
DISPOSITIONS BY OFFENSE TYPE

KENT

# of Defendants Disposed of By:

	Trial				Guilty					
Offense	G	NG	NFD	Total	Plea	NP	Dismissal	ADRR	Other	TOTALS
Crimes of Violence										
Murder 1st	4	1	0	5	2	1	1	0	0	9
Murder 2nd	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0
Criminally Negligent Homicide	0	1	0	1	4	0	0	0	0	5
Attempted Murder 1st/2nd	0	0	0	0	3	0	0	0	0	3
Assault 1st	0	0	0	0	10	1	0	0	0	11
Assault 2nd	1	1	0	2	17	3	0	0	0	22
Reckless Endangering 1st	0	2	0	2	8	1	0	0	0	11
Rape 1st	0	1	0	1	7	0	0	0	0	8
Rape 2nd	0	0	0	0	6	5	0	0	1	12
Sodomy 1st/2nd	0	0	0	0	1	1	0	0	0	2
Kidnapping 1st/2nd	1	0	0	1	2	1	0	0	0	4
Robbery 1st	2	0	0	2	4	6	0	0	0	12
Robbery 2nd	2	0	0	2	0	1	0	0	0	3
Drug Offenses										
Delivery	3	0	0	3	22	3	0	0	1	29
Possession W/Intent to Deliver	0	0	0	0	4	2	0	0	0	6
Possession NN Schedule I	1	0	0	1	8	0	0	0	0	9
Other Drug Offenses	0	1	0	1	9	0	0	0	0	10
Other Grand Jury Offenses										
Burglary 1st/2nd/3rd	6	0	0	6	60	30	0	0	0	96
Theft/Shoplifting/RSP/Forgery	2	1	0	3	68	20	0	1	1	93
All Weapons Offenses	2	0	0	2	9	10	0	0	0	21
Other Grand Jury Offenses	7	0	0	7	48	8	0	0	0	63
Appeal and Transfer Cases										
DUI/CUI	0	0	0	0	2	0	1	0	0	3
Other Traffic Offenses	2	1	0	3	6	1	0	2	0	12
Non-Traffic	0	0	0	0	0	0	0	1	0	1
TOTALS	33	9	0	42	300	94	2	4	3	445

G = Guilty
NG = Not Guilty
NFD = No Final Disposition (Hung Juries, Mistrials)
NP = Nolle Prosequi
ADRR = Appeal Dismissed, Recorded Remanded
OTHER = Includes remands, transfer, diversions and consolidations
NN = Non-Narcotic
RSP = Receiving Stolen Property
DUI/CUI = Driving Under the Influence/Control Under the Influence

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
DISPOSITIONS BY OFFENSE TYPE

SUSSEX

# of Defendants Disposed of By:

Offense	G	NG	NFD	Trial Total	Guilty Plea	NP	Dismissal	ADRR	Other	TOTALS
Crimes of Violence										
Murder 1st	0	0	0	0	5	0	1	0	0	6
Murder 2nd	0	0	0	0	1	0	0	0	0	1
Manslaughter	0	0	0	0	4	0	0	0	0	4
Criminally Negligent Homicide	0	1	0	1	1	0	0	0	0	2
Attempted Murder 1st/2nd	0	0	0	0	2	1	0	0	0	3
Assault 1st	0	1	0	1	9	2	0	0	0	12
Assault 2nd	1	1	0	2	8	2	0	0	0	12
Reckless Endangering 1st	0	0	0	0	4	3	1	0	0	8
Rape 1st	0	0	0	0	4	0	0	0	0	4
Rape 2nd	0	0	0	0	1	1	1	0	0	3
Sodomy 1st/2nd	0	0	0	0	2	0	0	0	0	2
Kidnapping 1st/2nd	0	0	0	0	4	1	0	0	0	5
Robbery 1st	0	0	0	0	5	1	0	0	0	6
Robbery 2nd	2	0	0	2	4	0	0	0	0	6
Drug Offenses										
Delivery	2	0	2	4	25	4	0	0	0	33
Possession W/Intent to Deliver	0	0	0	0	4	1	0	0	0	5
Possession NN Schedule I	0	0	0	0	2	0	0	0	0	2
Other Drug Offenses	0	0	0	0	6	3	0	0	0	9
Other Grand Jury Offenses										
Burglary 1st/2nd/3rd	4	2	0	6	50	13	0	0	0	69
Theft/Shoplifting/RSP/Forgery	4	5	0	9	34	11	2	0	0	56
All Weapons Offenses	0	0	0	0	4	2	0	0	0	6
Other Grand Jury Offenses	1	1	0	2	30	8	0	0	0	40
Appeal and Transfer Cases										
DUI/CUI	0	0	0	0	2	2	0	1	0	5
Other Traffic Offenses	0	0	0	0	15	4	1	5	0	25
Non-Traffic Offenses	0	0	0	0	2	0	0	1	0	3
TOTALS	14	11	2	27	228	59	6	7	0	327

G = Guilty
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OTHER = Includes remands, transfer, diversions and consolidations
NN = Non-Narcotic
RSP = Receiving Stolen Property
DUI/CUI = Driving Under the Influence/Control Under the Influence

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL DISPOSITIONS
DISPOSITIONS BY OFFENSE TYPE

STATE

# of Defendants Disposed of By:

Offense	Trial				Guilty Plea	NP	Dismissal	ADRR	Other	TOTALS
	G	NG	NFD	Total						
Crimes of Violence										
Murder 1st	7	1	0	8	17	10	2	0	0	37
Murder 2nd	1	0	0	1	7	0	0	0	0	8
Manslaughter	0	0	0	0	4	0	0	0	0	4
Criminally Negligent Homicide	1	3	0	4	9	0	0	0	0	13
Attempted Murder 1st/2nd	2	0	0	2	8	3	0	0	0	13
Assault 1st	6	2	0	8	37	14	0	0	1	60
Assault 2nd	8	5	1	14	53	15	1	0	0	83
Reckless Endangering 1st	1	2	0	3	29	8	1	0	0	41
Rape 1st	4	4	0	8	18	8	0	0	0	34
Rape 2nd	5	2	1	8	14	9	1	0	1	33
Sodomy 1st/2nd	1	0	0	1	4	2	0	0	0	7
Kidnapping 1st/2nd	2	0	1	3	17	4	0	0	0	24
Robbery 1st	12	5	1	18	42	37	0	0	0	97
Robbery 2nd	8	4	2	14	24	20	2	0	0	60
Drug Offenses										
Delivery	9	1	2	12	122	28	0	0	1	163
Possession W/Intent to Deliver	7	1	1	9	48	29	2	0	0	88
Possession NN Schedule I	2	0	0	2	33	6	0	0	0	41
Other Drug Offenses	2	2	0	4	72	24	0	0	0	100
Other Grand Jury Offenses										
Burglary 1st/2nd/3rd	23	12	2	37	329	135	4	0	1	506
Theft/Shoplifting/RSP/Forgery	19	8	3	30	397	177	5	1	2	612
All Weapons Offenses	7	3	0	10	73	42	0	0	0	125
Other Grand Jury Offenses	12	6	0	18	289	69	1	0	0	377
Appeal and Transfer Cases										
DUI/CUI	2	1	0	3	17	8	1	3	9	41
Other Traffic Offenses	9	7	0	16	100	57	5	33	1	212
Non-Traffic Offenses	13	6	3	22	47	105	4	11	2	191
TOTALS	163	75	17	255	1,810	810	29	48	18	2,970

G = Guilty
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NFD = No Final Disposition (Hung Juries, Mistrials)
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ADRR = Appeal Dismissed, Recorded Remanded
OTHER = Includes remands, transfers, diversions and consolidations
NN = Non-Narcotic
RSP = Receiving Stolen Property
DUI/CUI = Driving Under the Influence/Control Under the Influence

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL TRIAL ACTIVITY

	# of Jury Trials		# of Non-Jury Trials		Total # of Trials		Days In Trial	Average Length Per Trial (Days)
New Castle	164	92.7%	13	7.3%	177	100.0%	378 days	2.14 days
Kent	29	78.4%	8	21.6%	37	100.0%	89½ days	2.42 days
Sussex	9	36.0%	16	64.0%	25	100.0%	19 days	0.76 days
State	202	84.5%	37	15.5%	239	100.0%	486½ days	2.04 days

SUPERIOR COURT

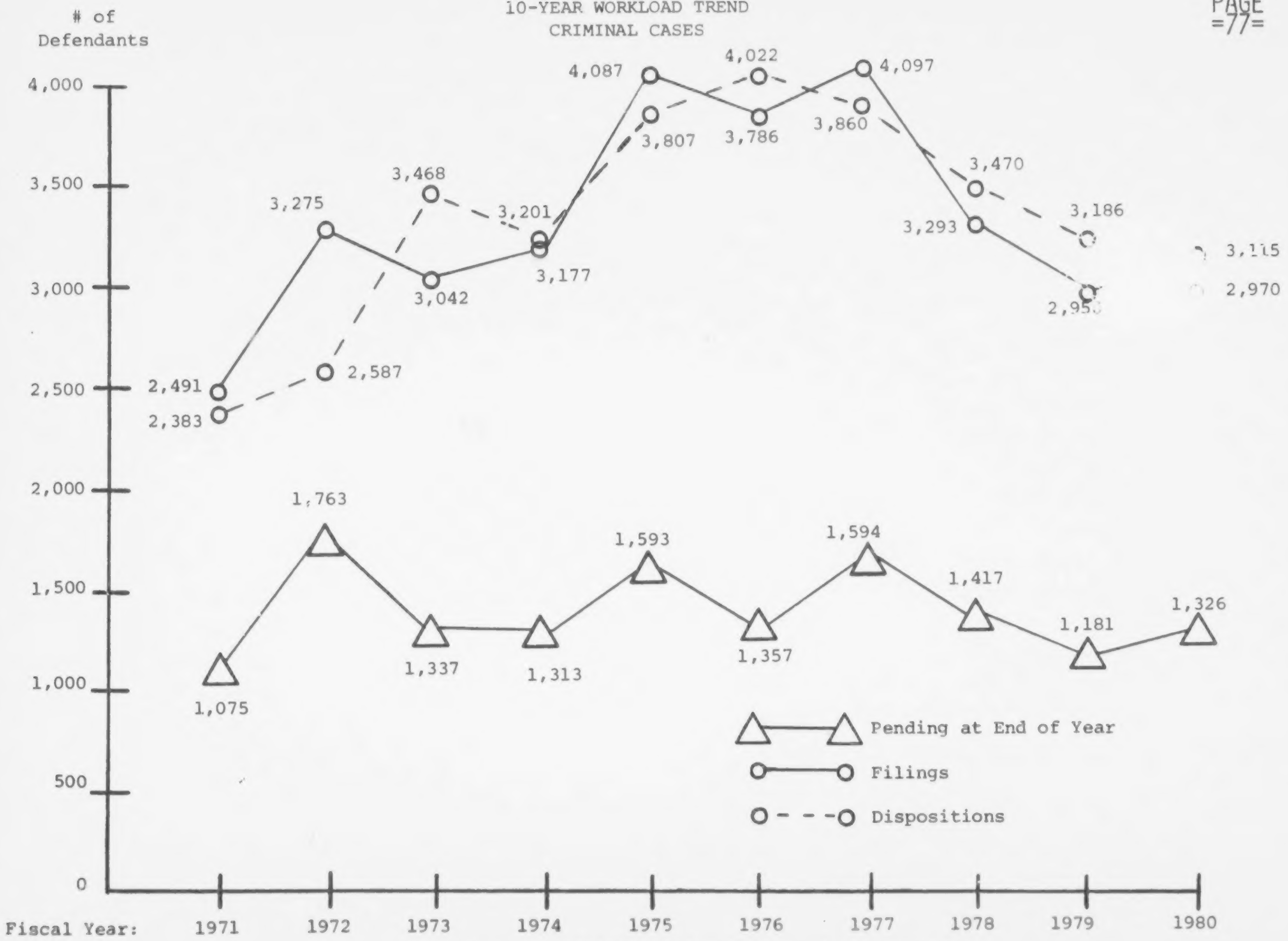
FISCAL YEAR 1980
CRIMINAL RESCHEDULINGS

	Total # of Defendants Scheduled*	# of Defendants Rescheduled	% of Defendants Rescheduled	Rescheduled at Defense Request		Rescheduled at Prosecution Request		Rescheduled at Mutual Request		Rescheduled at Court Request	
New Castle	2,794	745	26.7%	383	51.4%	225	30.2%	109	14.6%	28	3.8%
Kent	648	282	43.5%	114	40.4%	69	24.5%	58	20.6%	41	14.5%
Sussex	300	123	41.0%	51	41.5%	24	19.5%	15	12.2%	33	26.8%
State	3,742	1,150	30.7%	543	47.7%	318	27.7%	182	15.8%	102	8.9%

*All schedulings included are schedulings for trial. Most defendants, however, are disposed of other than by trial.

Source: Superior Court Case Scheduling Office

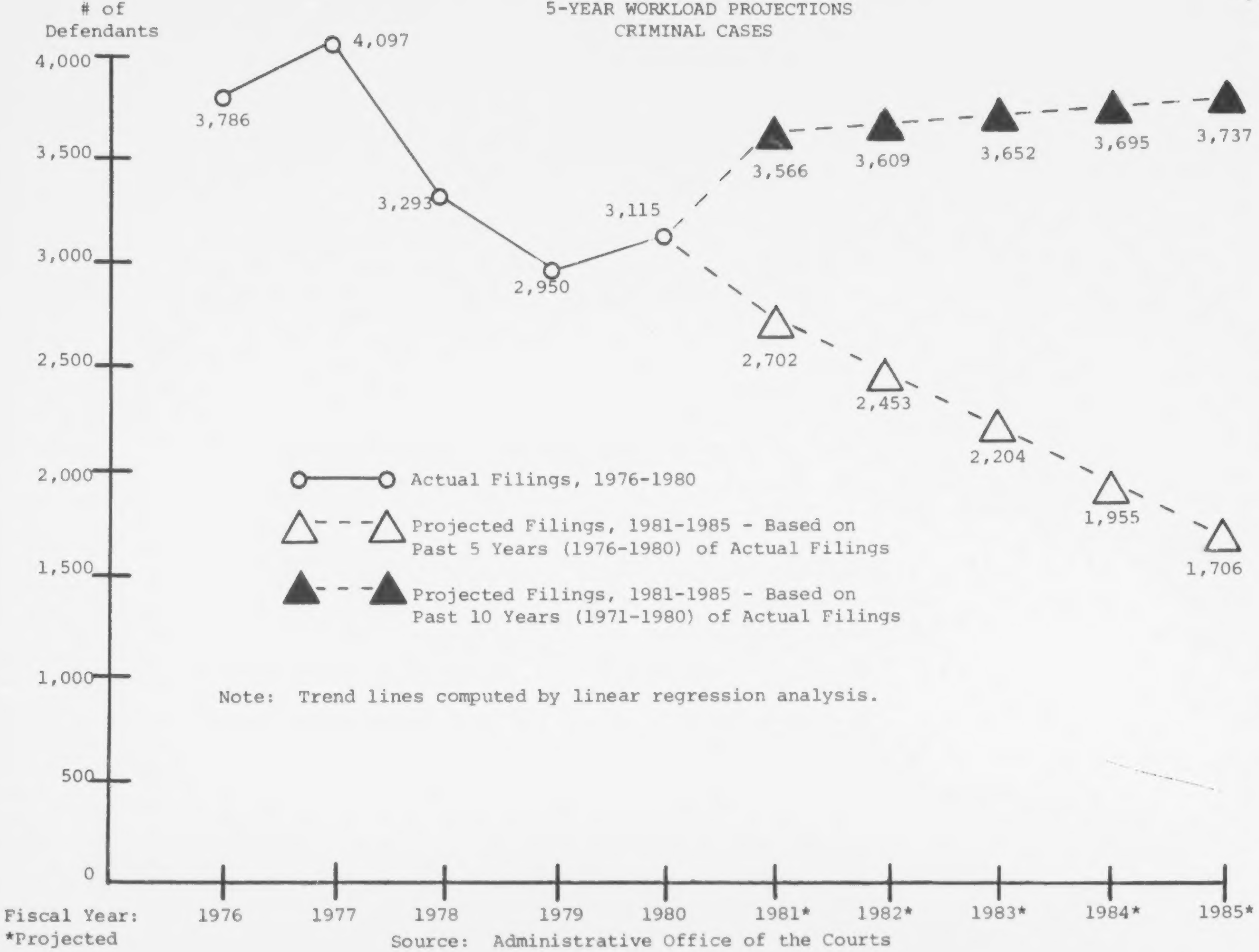
SUPERIOR COURT
10-YEAR WORKLOAD TREND
CRIMINAL CASES



Source: Administrative Office of the Courts

SUPERIOR COURT

5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PERFORMANCE ANALYSIS
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court should be tried within 120 days of arrest.

2. The Elapsed Time charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment and disposition. Since Superior Court cases do not all originate by indictment, it is not possible to subtract the figures for indictment to disposition from the figures for arrest to disposition to determine preindictment time intervals.

3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:

   a. For all capiases, the time between the date the capias is issued and the date the capias is executed.

   b. In the case of arraignment capiases, the interval between the execution of the capias and arraignment.

   c. In the case of trial capiases, the time between execution of the capias and the first scheduled trial date.

   d. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment, if any.

   e. In the case of Rule 9 Warrants, the interval between indictment and arrest.

   f. In the case of Rule 9 Summonses which are superseded by Rule 9 Warrants, the full interval between indictment and arrest.

   g. For all nolle prosequis, all time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL PERFORMANCE
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

NEW CASTLE

Month	# of Defendants Disposed of Within 120 Days of Arrest		# of Defendants Disposed of 121 Days or More After Arrest		Total # of Defendants Disposed of	
July 1979	135	81.8%	30	18.2%	165	100.0%
August 1979	109	82.6%	23	17.4%	132	100.0%
September 1979	141	83.9%	27	16.1%	168	100.0%
October 1979	180	89.6%	21	10.4%	201	100.0%
November 1979	136	91.9%	12	8.1%	148	100.0%
December 1979	156	90.2%	17	9.8%	173	100.0%
January 1980	269	92.1%	23	7.9%	292	100.0%
February 1980	152	89.4%	18	10.6%	170	100.0%
March 1980	172	80.8%	41	19.2%	213	100.0%
April 1980	127	83.0%	26	17.0%	153	100.0%
May 1980	156	88.7%	20	11.4%	176	100.0%
June 1980	189	91.3%	18	8.7%	207	100.0%
TOTALS	1,922	87.4%	276	12.6%	2,198	100.0%

KENT

Month	# of Defendants Disposed of Within 120 Days of Arrest		# of Defendants Disposed of 121 Days or More After Arrest		Total # of Defendants Disposed of	
July 1979	37	67.3%	18	32.7%	55	100.0%
August 1979	25	83.3%	5	16.7%	30	100.0%
September 1979	27	69.2%	12	30.8%	39	100.0%
October 1979	19	59.4%	13	40.6%	32	100.0%
November 1979	30	96.8%	1	3.2%	31	100.0%
December 1979	16	76.2%	5	23.8%	21	100.0%
January 1980	34	87.2%	5	12.8%	39	100.0%
February 1980	38	79.2%	10	20.8%	48	100.0%
March 1980	32	88.9%	4	11.1%	36	100.0%
April 1980	32	88.9%	4	11.1%	36	100.0%
May 1980	41	89.1%	5	10.9%	46	100.0%
June 1980	30	93.8%	2	6.3%	32	100.0%
TOTALS	361	81.1%	84	18.9%	445	100.0%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL PERFORMANCE
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

SUSSEX

Month	# of Defendants Disposed of Within 120 Days of Arrest		# of Defendants Disposed of 121 Days or More After Arrest		Total # of Defendants Disposed of	
July 1979	21	95.5%	1	4.5%	22	100.0%
August 1979	13	100.0%	0	0.0%	13	100.0%
September 1979	26	78.8%	7	21.2%	33	100.0%
October 1979	19	79.2%	5	20.8%	24	100.0%
November 1979	18	81.8%	4	18.2%	22	100.0%
December 1979	22	91.7%	2	8.3%	24	100.0%
January 1980	19	86.4%	3	13.6%	22	100.0%
February 1980	29	82.9%	6	17.1%	35	100.0%
March 1980	22	73.3%	8	26.7%	30	100.0%
April 1980	31	91.2%	3	8.8%	34	100.0%
May 1980	25	89.3%	3	10.7%	28	100.0%
June 1980	31	77.5%	9	22.5%	40	100.0%
TOTALS	276	84.4%	51	15.6%	327	100.0%

STATE

Month	# of Defendants Disposed of Within 120 Days of Arrest		# of Defendants Disposed of 121 Days or More After Arrest		Total # of Defendants Disposed of	
July 1979	193	79.8%	49	20.2%	242	100.0%
August 1979	147	84.0%	28	16.0%	175	100.0%
September 1979	194	80.8%	46	19.2%	240	100.0%
October 1979	218	84.8%	39	15.2%	257	100.0%
November 1979	184	91.5%	17	8.5%	201	100.0%
December 1979	194	89.0%	24	11.0%	218	100.0%
January 1980	322	91.2%	31	8.8%	353	100.0%
February 1980	219	86.6%	34	13.4%	253	100.0%
March 1980	226	81.0%	53	19.0%	279	100.0%
April 1980	190	85.2%	33	14.8%	223	100.0%
May 1980	222	88.8%	28	11.2%	250	100.0%
June 1980	250	89.6%	29	10.4%	279	100.0%
TOTALS	2,559	86.2%	411	13.8%	2,970	100.0%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL PERFORMANCE
ELAPSED TIME

NEW CASTLE

Month	Average Elapsed Time from Arrest to Disposition*	Median Elapsed Time from Arrest to Disposition*	Average Elapsed Time from Indictment to Disposition**	Median Elapsed Time from Indictment to Disposition**
July 1979	79.7 days	59.0 days	57.8 days	35.0 days
August 1979	80.0	60.0	56.6	37.0
September 1979	78.7	69.5	54.1	43.0
October 1979	62.4	56.0	41.3	35.0
November 1979	64.2	62.5	42.2	35.0
December 1979	68.3	59.0	45.6	35.0
January 1980	66.3	66.0	45.0	42.0
February 1980	69.9	61.0	46.7	42.0
March 1980	80.3	64.0	56.0	41.0
April 1980	77.9	66.0	51.0	35.0
May 1980	68.3	63.0	46.4	42.0
June 1980	83.8	47.5	62.0	40.0
TOTALS	73.0 days	61.0 days#	50.2 days	39.0 days#

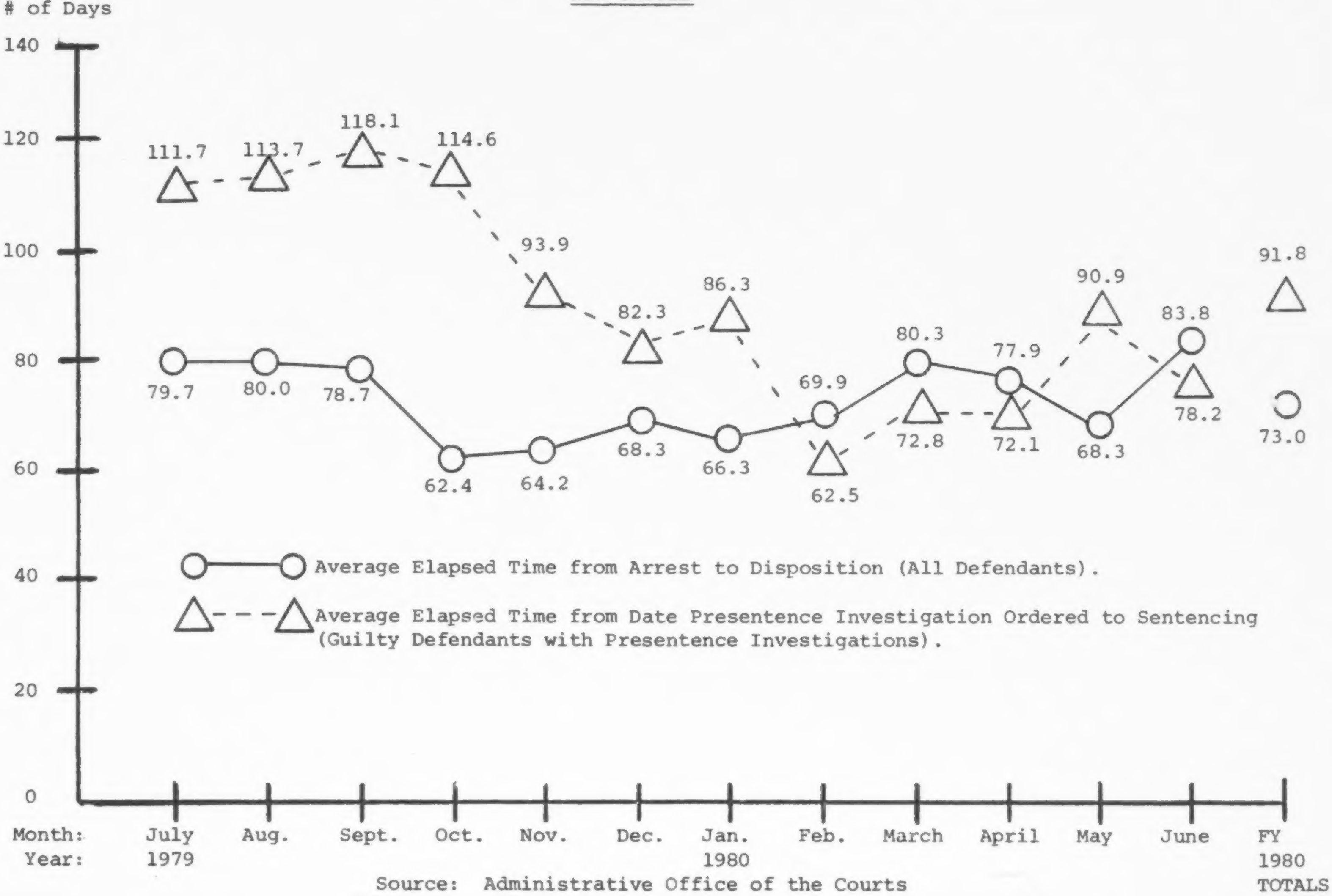
*Includes all defendants.
**Includes indicted defendants only.
#Calculated using grouped medians method.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE

NEW CASTLE



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL PERFORMANCE
ELAPSED TIME

KENT

Month	Average Elapsed Time from Arrest to Disposition*	Median Elapsed Time from Arrest to Disposition*	Average Elapsed Time from Indictment to Disposition**	Median Elapsed Time from Indictment to Disposition**
July 1979	215.0 days	87.0 days	192.5 days	51.0 days
August 1979	104.2	74.0	77.2	45.0
September 1979	100.7	71.0	66.6	33.0
October 1979	114.7	84.0	82.4	49.0
November 1979	52.4	48.5	25.2	21.0
December 1979	79.8	84.5	115.0	37.5
January 1980	78.9	65.0	49.8	36.5
February 1980	103.9	69.5	66.0	36.0
March 1980	67.6	49.0	37.7	22.0
April 1980	81.0	63.0	50.6	27.5
May 1980	83.6	64.0	45.4	24.0
June 1980	64.3	57.0	33.2	24.0
TOTALS	101.5 days	68.5 days#	73.6 days	34.5 days#

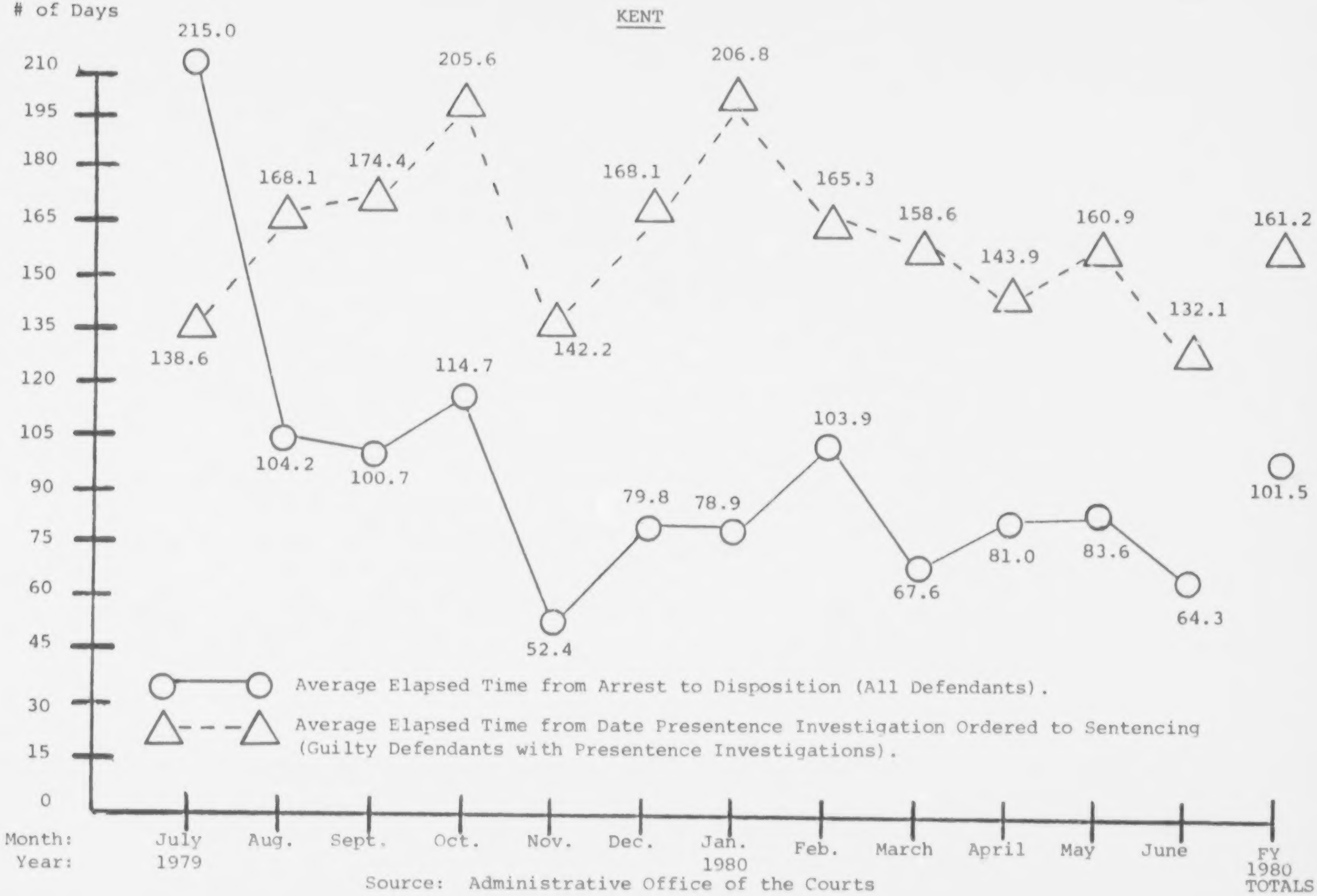
*Includes all defendants.
**Includes indicted defendants only.
#Calculated using grouped medians method.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE

KENT



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL PERFORMANCE
ELAPSED TIME

SUSSEX

Month	Average Elapsed Time from Arrest to Disposition*	Median Elapsed Time from Arrest to Disposition*	Average Elapsed Time from Indictment to Disposition**	Median Elapsed Time from Indictment to Disposition**
July 1979	68.5 days	61.0 days	22.0 days	16.0 days
August 1979	61.0	61.0	28.0	23.0
September 1979	84.8	87.0	44.2	25.0
October 1979	109.5	81.0	33.7	29.0
November 1979	85.0	85.5	43.4	38.0
December 1979	76.4	76.5	29.7	21.5
January 1980	83.0	63.0	37.0	31.0
February 1980	83.9	78.0	44.9	36.0
March 1980	83.0	85.0	33.7	18.0
April 1980	72.3	69.0	32.7	36.0
May 1980	91.3	74.0	40.0	37.0
June 1980	98.4	93.0	60.0	49.0
TOTALS	84.5 days	78.0 days#	39.2 days	31.5 days#

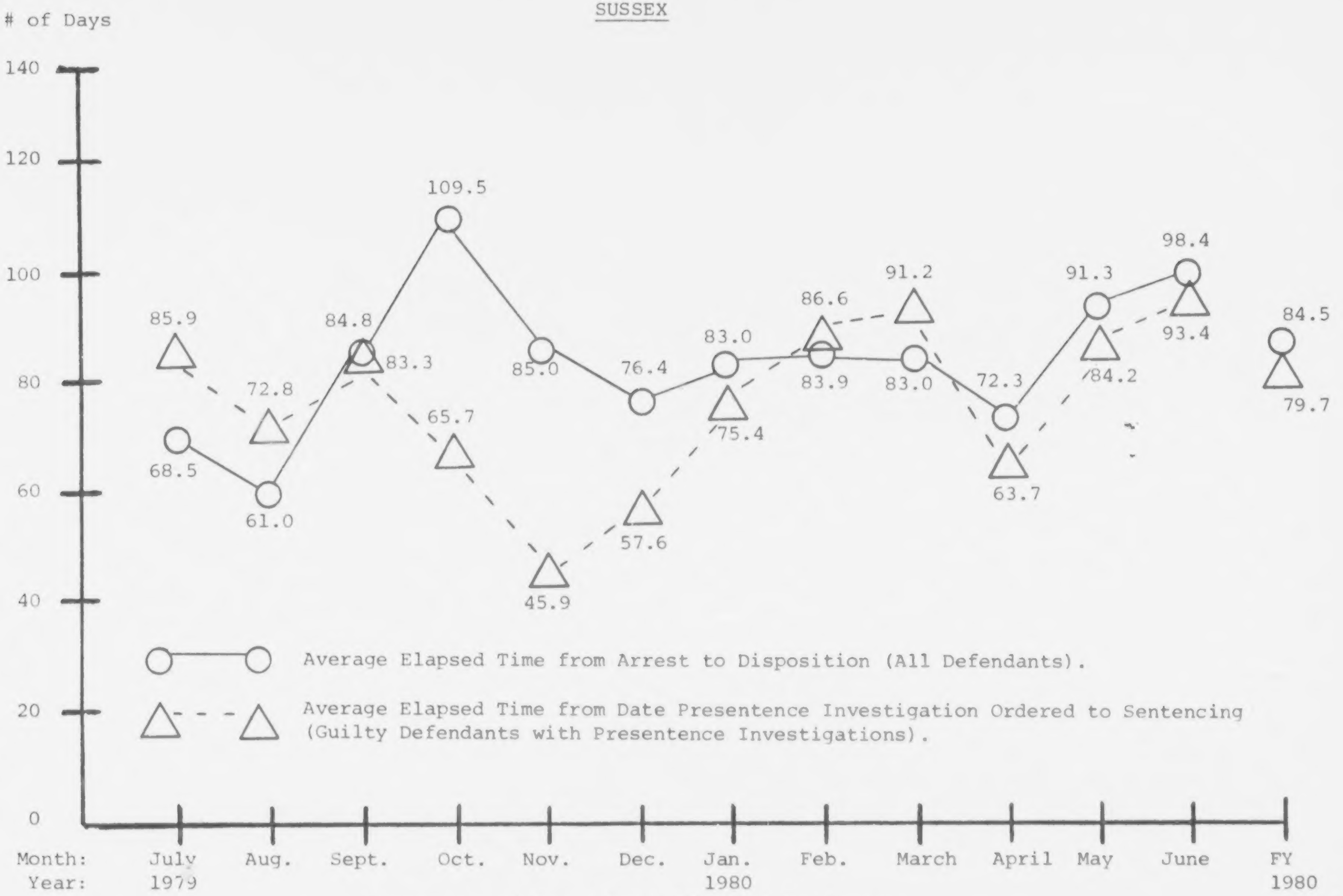
*Includes all defendants.
**Includes indicted defendants only.
#Calculated using grouped medians method.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE

SUSSEX



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL PERFORMANCE
ELAPSED TIME

STATE

Month	Average Elapsed Time from Arrest to Disposition*	Median Elapsed Time from Arrest to Disposition*,#	Average Elapsed Time from Indictment to Disposition**	Median Elapsed Time from Indictment to Disposition**,#
July 1979	109.4 days	65.5 days	85.2 days	37.0 days
August 1979	82.7	62.5	58.0	37.5
September 1979	83.1	72.0	54.8	39.0
October 1979	73.3	62.0	45.7	36.0
November 1979	64.7	63.0	39.7	33.0
December 1979	70.3	63.5	50.5	34.0
January 1980	68.7	65.5	45.0	40.5
February 1980	78.3	65.0	50.1	40.0
March 1980	79.0	64.5	51.2	36.0
April 1980	77.5	66.0	48.1	34.0
May 1980	73.7	64.5	45.5	38.0
June 1980	83.7	55.0	58.4	39.5
TOTALS	78.5 days	64.0 days	52.5 days	37.5 days

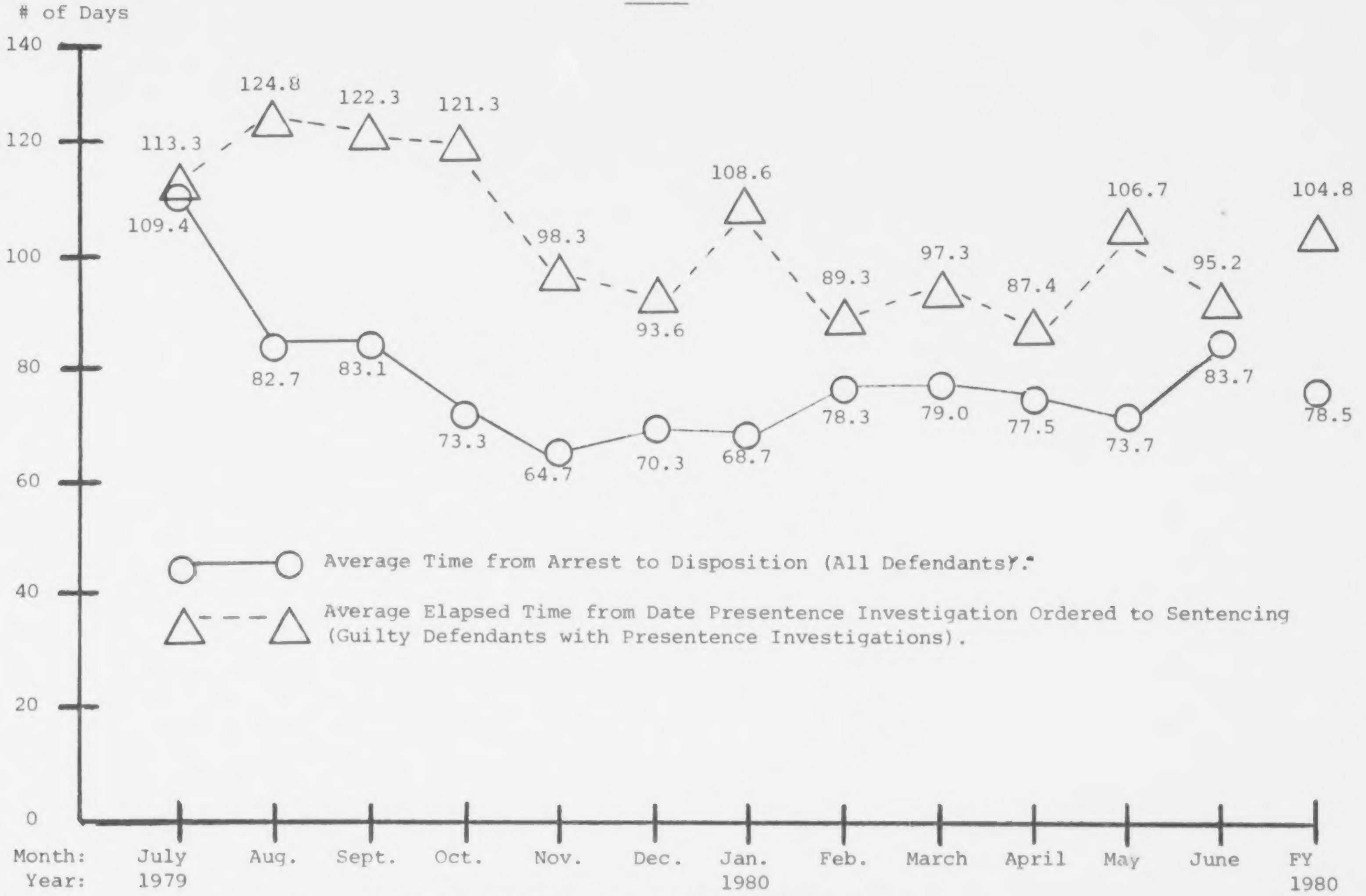
*Includes all defendants.
**Includes indicted defendants only.
#Calculated using grouped medians method.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE

STATE



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
WORKLOAD

	Pending* 6-30-79	Investigations Ordered	Investigations** Completed	Pending* 6-30-80	Change In Pending
New Castle	275	965	1,106	134	-141
Kent	110	257	308	59	- 51
Sussex	23	155	159	19	- 4
State	408	1,377	1,573	212	-196

COMPARISON - FISCAL YEARS 1979-1980
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1979	1980	Change	% Change
New Castle	1,110	965	-145	-13.1%
Kent	286	257	- 29	-10.1%
Sussex	180	155	- 25	-13.9%
State	1,576	1,377	-299	-12.6%

INVESTIGATIONS COMPLETED**

	1979	1980	Change	% Change
New Castle	1,027	1,106	+ 79	+ 7.7%
Kent	240	308	+ 68	+28.3%
Sussex	186	159	- 27	-14.5%
State	1,453	1,573	+120	+ 8.3%

INVESTIGATIONS PENDING AT END OF YEAR*

	1979	1980	Change	% Change
New Castle	275	134	-141	-51.3%
Kent	110	59	- 51	-46.4%
Sussex	23	19	- 4	-17.4%
State	408	212	-196	-48.0%

*A pending investigation is one which has been ordered but has not yet been written and typed.
**An investigation is considered completed upon its having been both written and typed.

Source: New Castle, Kent, and Sussex County Presentence Offices

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
PERFORMANCE

NEW CASTLE

Month	# of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced*
July 1979	76	59.0 days	17.8 days	76.8 days	34.9 days	111.1 days
August 1979	83	68.0	18.8	86.8	26 9	113.7
September 1979	99	74.4	20.8	95.2	22.8	118.1
October 1979	101	73.7	14.4	88.1	26.5	114.6
November 1979	97	51.1	8.1	59.1	34.8	93.9
December 1979	103	47.9	8.0	55.9	26.4	82.3
January 1980	98	42.7	6.6	49.3	37.0	86.3
February 1980	92	38.8	4.6	43.3	19.2	62.5
March 1980	76	36.8	8.0	44.8	28.0	72.8
April 1980	75	38.0	8.0	46.0	26.1	72.1
May 1980	84	50.4	7.1	57.5	33.5	90.9
June 1980	91	35.4	5.5	40.9	37.3	78.2
TOTALS	1,075	51.8 days	10.6 days	62.4 days	29.4 days	91.8 days

*These figures are gross elapsed time from the date the presentence investigation was ordered to the defendant's sentencing date. If all the time the sentencings were delayed due to capiases, continuances, and motions was subtracted from these figures, the net average elapsed time for a presentence investigation from the date ordered to the date sentenced would be as follows:

July - 95.0 days
August - 101.1
September - 107.0
October - 106.2

November - 77.5 days
December - 75.9
January - 69.3
February - 55.7

March - 60.9 days
April - 64.9
May - 64.8
June - 61.0
Total - 78.8 days

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
PERFORMANCE

KENT

Month	# of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
July 1979	22	113.0 days	5.7 days	118.6 days	20.0 days	138.6 day
August 1979	31	132.8	12.4	145.1	23.0	168.1
September 1979	23	133.5	13.7	147.2	27.3	174.4
October 1979	16	143.1	13.3	156.4	49.2	205.6
November 1979	18	115.3	4.4	119.7	22.8	142.4
December 1979	20	125.1	3.6	128.7	39.5	168.1
January 1980	24	151.7	7.5	159.2	47.6	206.8
February 1980	33	138.0	1.5	139.4	25.8	165.3
March 1980	32	138.3	1.4	139.7	19.0	158.6
April 1980	25	109.8	2.3	112.0	31.9	143.9
May 1980	31	129.4	3.1	132.5	28.5	160.9
June 1980	43	102.8	2.0	104.8	27.3	132.1
TOTALS	318	126.8 days	5.3 days	132.2 days	29.0 days	161.2 day

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE PERFORMANCE

SUSSEX

Month	# of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
July 1979	16	66.0 days	2.8 days	68.8 days	17.1 days	85.9 days
August 1979	8	55.5	1.3	56.8	16.0	72.8
September 1979	20	46.4	3.1	49.5	33.9	83.3
October 1979	12	40.9	1.7	42.6	23.1	65.7
November 1979	7	30.1	2.0	32.1	13.7	45.9
December 1979	9	30.0	2.1	32.1	25.4	57.6
January 1980	5	31.2	1.4	32.6	42.8	75.4
February 1980	16	47.8	12.7	60.5	26.1	86.6
March 1980	17	46.3	7.8	54.1	37.1	91.2
April 1980	11	37.4	2.0	39.4	24.4	63.7
May 1980	16	52.5	7.9	60.4	23.8	84.2
June 1980	22	55.4	6.6	62.0	31.5	93.4
TOTALS	159	47.7 days	5.1 days	52.7 days	26.9 days	79.7 days

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
PERFORMANCE

STATE

Month	# of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
July 1979	114	70.4 days	13.4 days	83.8 days	29.5 days	113.3 days
August 1979	122	83.6	16.0	99.6	25.2	124.8
September 1979	142	80.1	17.1	97.2	25.1	122.3
October 1979	129	79.2	13.1	92.3	29.0	121.3
November 1979	122	59.3	7.2	66.5	31.8	98.3
December 1979	132	58.4	6.9	65.3	28.3	93.6
January 1980	127	62.8	6.6	69.4	39.2	108.6
February 1980	141	63.0	4.8	67.8	21.5	89.3
March 1980	125	64.1	6.3	70.3	26.9	97.3
April 1980	111	54.1	6.1	60.2	27.2	87.4
May 1980	131	69.3	6.3	75.6	31.1	106.7
June 1980	156	56.8	4.7	61.5	33.7	95.2
TOTALS	1,552	66.7 days	9.0 days	75.7 days	29.1 days	104.8 days

Source: Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1979-1980
PRESENTENCE OFFICE
PERFORMANCE

NEW CASTLE	1979	1980	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,003	1,075	+ 72	+ 7.2%
Average Time from Date Ordered to Date Written	58.7 days	51.8 days	- 6.9 days	-10.2%
Average Time from Date Written to Date Typed	6.3 days	10.6 days	+ 4.3 days	+68.3%
Average Time from Date Ordered to Date Typed	65.0 days	62.4 days	- 2.6 days	- 4.0%
Average Time from Date Typed to Date Sentenced	35.8 days	29.4 days	- 6.4 days	-17.9%
Average Time from Date Ordered to Date Sentenced	100.8 days	91.8 days	- 9.0 days	- 8.9%

KENT	1979	1980	Change	% Change
# of Defendants Sentenced After Presentence Investigations	215	318	+103	+47.9%
Average Time from Date Ordered to Date Written	70.1 days	126.8 days	+ 56.7 days	+80.9%
Average Time from Date Written to Date Typed	9.6 days	5.3 days	- 4.3 days	-44.8%
Average Time from Date Ordered to Date Typed	79.7 days	132.2 days	+ 52.5 days	+65.9%
Average Time from Date Typed to Date Sentenced	28.3 days	29.0 days	+ 0.7 days	+ 2.5%
Average Time from Date Ordered to Date Sentenced	108.0 days	161.2 days	+ 53.2 days	+49.3%

SUSSEX	1979	1980	Change	% Change
# of Defendants Sentenced After Presentence Investigations	177	159	- 18	-10.2%
Average Time from Date Ordered to Date Written	43.0 days	47.7 days	+ 4.7 days	+10.9%
Average Time from Date Written to Date Typed	4.6 days	5.1 days	+ 0.5 days	+10.9%
Average Time from Date Ordered to Date Typed	47.5 days	52.7 days	+ 5.2 days	+10.9%
Average Time from Date Typed to Date Sentenced	22.3 days	26.9 days	+ 4.6 days	+20.6%
Average Time from Date Ordered to Date Sentenced	69.8 days	79.7 days	+ 9.9 days	+14.2%

STATE	1979	1980	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,395	1,552	+157	+11.3%
Average Time from Date Ordered to Date Written	58.4 days	66.7 days	+ 8.3 days	+14.2%
Average Time from Date Written to Date Typed	6.6 days	9.0 days	+ 2.4 days	+36.4%
Average Time from Date Ordered to Date Typed	65.0 days	75.7 days	+ 10.7 days	+16.5%
Average Time from Date Typed to Date Sentenced	32.9 days	29.9 days	- 3.8 days	-11.6%
Average Time from Date Ordered to Date Sentenced	98.0 days	104.8 days	+ 6.8 days	+ 6.9%

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
PERFORMANCE ANALYSIS
COMPLIANCE WITH 30-DAY STANDARD*

	# of Investigations Completed Within 30 Days of Verdict*		# of Investigations Completed 31 Days or More After Verdict*		Total # of Investigations Completed	
New Castle	220	19.9%	886	80.1%	1,106	100.0%
Kent	68	22.1%	240	77.9%	308	100.0%
Sussex	25	15.7%	134	84.3%	159	100.0%
State	313	19.9%	1,260	80.1%	1,573	100.0%

*The Speedy Trial Directive of Chief Justice Daniel L. Herrmann includes a standard that the time from the court's verdict to the completion of the presentence investigation should not exceed 30 days. A presentence investigation is considered to be completed once it has been written and typed.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
PRODUCTIVITY

NEW CASTLE

Month	INVESTIGATIONS			TYPING		
	Investigations Written	# of Investigators Available	Average # Written Per Investigator	# of Investigations Typed	# of Typists Available	Average # Typed Per Typist
July 1979	76	7.00	10.9	80	5.47	14.6
August 1979	96	7.00	13.7	92	6.63	13.9
September 1979	106	9.00	11.8	110	8.73	12.6
October 1979	99	9.00	11.0	115	8.80	13.1
November 1979	90	9.00	10.0	95	8.80	10.8
December 1979	76	9.00	8.4	81	8.80	9.2
January 1980	98	9.00	10.9	97	9.73	10.0
February 1980	93	9.00	10.3	86	9.49	9.1
March 1980	101	9.00	11.2	93	8.97	10.4
April 1980	80	9.00	8.9	106	9.17	11.6
May 1980	76	9.00	8.4	71	9.30	7.6
June 1980	69	9.00	7.7	80	8.80	9.1
TOTALS	1,060	8.66	10.2/Month 122.3/Year	1,106	8.55	10.8/Month 129.3/Year

Source: New Castle County Presentence Office and Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1979
PRESENTENCE OFFICE
PRODUCTIVITY

KENT

	INVESTIGATIONS			TYPING		
Month	# of Investigations Written	# of Investigators Available	Average # Written Per Investigator	# of Investigations Typed	# of Typists Available	Average # Typed Per Typist
July 1979	33	2.00	16.5	26	1.00	26.0
August 1979	28	2.00	14.0	29	1.00	29.0
September 1979	6	2.00	3.0	20	1.00	20.0
October 1979	24	2.50	9.6	15	1.50	10.0
November 1979	12	3.00	4.0	21	2.00	10.5
December 1979	17	3.00	5.7	13	2.00	6.5
January 1980	32	3.00	10.7	33	2.00	16.5
February 1980	34	3.00	11.3	34	2.00	17.0
March 1980	37	3.00	12.3	35	2.00	17.5
April 1980	29	3.00	9.7	32	2.00	16.0
May 1980	23	3.00	7.7	22	2.00	11.0
June 1980	29	3.00	9.7	28	2.00	14.0
TOTALS	304	2.71	9.3/Month* 112.2/Year*	308	1.71	15.0/Month** 180.1/Year**

*Kent County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 10 reports written for the Court of Common Pleas during FY 1980 were included, the average written per investigator would be 9.7 reports per month and 115.9 reports per year.

**These figures are for Superior Court only. If the 10 reports typed for the Court of Common Pleas were included, the typing productivity would become 15.5 reports typed per month and 186.0 reports per year.

Source: Kent County Presentence Office and Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
PRODUCTIVITY

SUSSEX

	INVESTIGATIONS			TYPING		
Month	# of Investigations Written	# of Investigators Available	Average # Written Per Investigator	# of Investigations Typed	# of Typists Available	Average # Typed Per Typist
July 1979	13	2.00	6.5	13	1.00	13.0
August 1979	20	3.00	6.7	19	1.00	19.0
September 1979	7	3.00	2.3	9	1.00	9.0
October 1979	13	3.00	4.3	11	1.00	11.0
November 1979	10	3.00	3.3	12	1.00	12.0
December 1979	10	2.00	5.0	8	1.00	8.0
January 1980	11	2.00	5.5	10	1.00	10.0
February 1980	14	2.00	7.0	14	1.00	14.0
March 1980	16	3.00	5.3	18	1.00	18.0
April 1980	15	3.00	5.0	11	1.00	11.0
May 1980	15	3.00	5.0	19	1.00	19.0
June 1980	14	3.00	4.7	15	1.00	15.0
TOTALS	158	2.67	4.9/Month* 59.3/Year*	159	1.00	13.3/Month** 159.0/Year**

*Sussex County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 48 reports written for the Court of Common Pleas during FY 1980 were included, the figures would be 6.4 reports completed per month and 77.3 reports completed per year per investigator.

**These figures are for Superior Court only. Typists also typed 48 presentence reports for the Court of Common Pleas. Including the typing for the Court of Common Pleas would change the figures to 17.3 reports typed per typist per month and 207.0 reports typed per typist per year for FY 1980.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
PRESENTENCE OFFICE
PRODUCTIVITY

STATE

	INVESTIGATIONS			TYPING		
Month	# of Investigations Written	# of Investigators Available	Average # Written Per Investigator	# of Investigations Typed	# of Typists Available	Average # Typed Per Typist
July 1979	122	11.00	11.1	119	7.47	15.9
August 1979	144	12.00	12.0	140	8.63	16.2
September 1979	119	14.00	8.5	139	10.73	13.0
October 1979	136	14.50	9.4	141	11.30	12.5
November 1979	112	15.00	7.5	128	11.80	10.8
December 1979	103	14.00	7.4	102	11.80	8.6
January 1980	141	14.00	10.1	140	12.73	11.0
February 1980	141	14.00	10.1	134	12.49	10.7
March 1980	154	15.00	10.3	146	11.97	12.2
April 1980	124	15.00	8.3	149	12.17	12.2
May 1980	114	15.00	7.6	112	12.30	9.1
June 1980	112	15.00	7.5	123	11.80	10.4
TOTALS	1,522	14.04	9.0/Month* 108.4/Year*	1,573	11.26	11.6/Month* 139.7/Year*

*These figures are for Superior Court only. Court of Common Pleas presentence activity, which is performed by both the Kent and Sussex presentence offices, has been excluded.

Source: New Castle County, Kent County, and Sussex County Presentence Offices and Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1979-1980
PRESENTENCE OFFICE
PRODUCTIVITY

NEW CASTLE	1979	1980	Change	% Change
# of Investigations Written	1,065	1,060	- 5	- 0.5%
Average # Written Per Investigator Per Month	13.2	10.2	- 3.0	-22.7%
Average # Written Per Investigator Per Year	158.2	122.3	- 35.9	-22.7%
# of Investigations Typed	1,004	1,106	+102	+10.2%
Average # Typed Per Typist Per Month	30.8	10.8	- 20.0	-64.9%
Average # Typed Per Typist Per Year	369.1	129.3	-239.8	-65.0%

KENT*	1979	1980	Change	% Change
# of Investigations Written	240	304	+ 64	-26.7%
Average # Written Per Investigator Per Month	10.0	9.3	- 0.7	- 7.0%
Average # Written Per Investigator Per Year	120.0	112.2	- 7.8	- 6.5%
# of Investigations Typed	233	308	+ 75	+32.2%
Average # Typed Per Typist Per Month	19.4	15.0	- 4.4	-22.7%
Average # Typed Per Typist Per Year	233.0	180.1	- 52.9	-22.7%

SUSSEX*	1979	1980	Change	% Change
# of Investigations Written	183	158	- 25	-13.7%
Average # Written Per Investigator Per Month	5.5	4.9	- 0.6	-10.9%
Average # Written Per Investigator Per Year	66.5	59.3	- 7.2	-10.8%
# of Investigations Typed	186	159	- 27	-14.5%
Average # Typed Per Typist Per Month	15.5	13.3	- 2.2	-14.2%
Average # Typed Per Typist Per Year	186.0	159.0	- 27.0	-14.5%

STATE*	1979	1980	Change	% Change
# of Investigations Written	1,488	1,522	+ 34	+ 2.3%
Average # Written Per Investigator Per Month	10.8	9.0	- 1.8	-16.7%
Average # Written Per Investigator Per Year	129.6	108.4	- 21.2	-16.4%
# of Investigations Typed	1,423	1,573	+ 150	+10.5%
Average # Typed Per Typist Per Month	25.1	11.6	- 13.5	-53.8%
Average # Typed Per Typist Per Year	301.5	139.7	- 161.8	-53.7%

*Figures are for Superior Court only. Court of Common Pleas presentence activity, which is also done by the Kent and Sussex Presentence Offices, is excluded.

Source: New Castle County, Kent County, and Sussex County Presentence Offices and Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL CASES

NEW CASTLE	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Complaints	1,949	1,607	1,507	2,049	+100
Mechanic's Liens and Mortgages	321	471	484	308	- 13
Terminations and Adoptions	91	208	197	102	+ 11
Involuntary Commitments	135*	644	654	125	- 10
Appeals	308	205	257	256	- 52
Miscellaneous	150	333	333	150	0
TOTALS	2,954*	3,468	3,432	2,990	+ 36

KENT	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Complaints	523	277	229	571	+ 48
Mechanic's Liens and Mortgages	89	100	81	108	+ 19
Terminations and Adoptions	40	52	45	47	+ 7
Appeals	48	29	18	59	+ 11
Miscellaneous	41	36	31	46	+ 5
TOTALS	741	494	404	831	+ 90

SUSSEX	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Complaints	217	211	150	278	+ 61
Mechanic's Liens and Mortgages	54	91	86	59	+ 5
Terminations and Adoptions	50	49	40	59	+ 9
Appeals	29	35	36	28	- 1
Miscellaneous	23	52	40	35	+ 12
TOTALS	373	438	352	459	+ 86

STATE	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Complaints	2,689	2,095	1,886	2,898	+209
Mechanic's Liens and Mortgages	464	662	651	475	+ 11
Terminations and Adoptions	181	309	282	208	+ 27
Involuntary Commitments	135*	644	654	125	- 10
Appeals	385	269	311	343	- 42
Miscellaneous	214	421	404	231	+ 17
TOTALS	4,068*	4,400	4,188	4,280	+212

*Adjusted from 1979 Annual Report.

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL WORKLOAD
EXPLANATORY NOTES

1. Complaints are suits for damages. The Complaints category includes Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court, Appeals from Arbitration Panel, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Transfers and Removals from the Court of Chancery, and Transfers and Removals from the Court of Common Pleas.

2. Mechanic's Liens and Mortgages are property suits.

3. Terminations and Adoptions are parental rights cases.

4. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the state's facility for mentally ill patients, is located in New Castle County, all Involuntary Commitment hearings are held in New Castle County.

5. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, Appeals from Municipal Court, and Certioraris.

6. Miscellaneous includes all other cases. During FY 1980 this category consisted of Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Writs of Possession, Bail Forfeitures, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgment, Petitions to Extend Judgment, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions for Writ of Quo Warranto, Petitions to Inspect the Record, Petitions to Quash Subpoena, Annulments of Adoption, Petitions for Redemption, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Out of State Subpoenas, Petitions to Sell Real Estate for Property Taxes, Petitions for Exhumation, Petitions for Return of Property, Petitions to Vacate Public Road, Road Resolutions, and Tax Ditches.

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL CASES

FILINGS

	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,607	471	208	205	644	333	3,468
Kent	277	100	52	29	0	36	494
Sussex	211	91	49	35	0	52	438
State	2,095	662	309	269	644	421	4,400
Percentage of Total:	47.6%	15.0%	7.0%	6.1%	14.6%	9.6%	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL DISPOSITIONS

NEW CASTLE

Month	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Involuntary Commitments	Appeals	Miscellaneous	TOTALS
July 1979	151	61	20	72	24	34	362
August 1979	121	68	12	56	36	20	313
September 1979	131	42	11	59	39	30	312
October 1979	126	36	18	45	9	29	263
November 1979	126	32	17	53	20	37	285
December 1979	113	27	24	55	20	16	255
January 1980	115	30	11	66	14	30	266
February 1980	124	43	24	52	14	30	287
March 1980	117	25	12	46	21	23	244
April 1980	136	39	16	56	16	22	285
May 1980	124	45	13	52	6	39	279
June 1980	123	36	19	42	38	23	281
TOTALS	1,507	484	197	654	257	333	3,432
Percentage of Total:	43.9%	14.1%	5.7%	19.1%	7.5%	9.7%	100.0%

Source: New Castle County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL DISPOSITIONS

KENT

Month	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Appeals	Miscellaneous	TOTALS
July 1979	38	7	5	4	3	57
August 1979	12	6	2	2	1	23
September 1979	11	5	1	0	3	20
October 1979	16	5	7	2	1	31
November 1979	19	3	4	2	2	30
December 1979	15	1	0	0	4	20
January 1980	28	4	9	1	0	42
February 1980	17	7	3	0	4	31
March 1980	26	3	1	1	1	32
April 1980	21	8	1	3	5	38
May 1980	11	4	4	0	3	22
June 1980	15	28	8	3	4	58
TOTALS	229	81	45	18	31	404
Percentage of Total:	56.7%	20.0%	11.1%	4.5%	7.7%	100.0%

SUSSEX

Month	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Appeals	Miscellaneous	TOTALS
July 1979	18	9	1	4	0	32
August 1979	11	11	2	2	3	29
September 1979	15	7	6	5	12	45
October 1979	8	12	2	6	2	30
November 1979	19	3	1	2	5	30
December 1979	5	6	5	0	0	16
January 1980	18	9	3	1	2	33
February 1980	16	9	2	1	3	31
March 1980	8	7	9	0	13	37
April 1980	11	6	0	2	0	19
May 1980	6	3	6	1	0	16
June 1980	15	4	3	12	0	34
TOTALS	150	86	40	36	40	352
Percentage of Total:	42.6%	24.4%	11.4%	10.2%	11.4%	100.0%

Source: Kent County and Sussex County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL DISPOSITIONS

STATE

Month	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Involuntary Commitments	Appeals	Miscellaneous	TOTALS
July 1979	207	77	26	72	32	37	451
August 1979	144	85	16	56	40	24	365
September 1979	157	54	18	59	44	45	377
October 1979	150	53	27	45	17	32	324
November 1979	164	38	22	53	24	44	345
December 1979	133	34	29	55	20	20	291
January 1980	161	43	23	66	16	32	341
February 1980	157	59	29	52	15	37	349
March 1980	151	35	22	46	22	37	313
April 1980	168	53	17	56	21	27	342
May 1980	141	52	23	52	7	42	317
June 1980	153	68	30	42	53	27	373
TOTALS	1,886	651	282	654	311	404	4,188
Percentage of Total:	45.0%	15.5%	6.7%	15.6%	7.4%	9.7%	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotary's Offices

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL DISPOSITIONS

COMPLAINTS

	TRIAL DISPOSITIONS		NON-TRIAL DISPOSITIONS							
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Split Disposition	Transfer to Common Pleas	TOTALS
New Castle	53	41	239	82	22	798	242	2	28	1,507
Kent	11	2	30	17	0	142	27	0	0	229
Sussex	3	5	49	3	0	71	19	0	0	150
State	67	48	318	102	22	1,011	288	2	28	1,886
Percentage of Total:	3.6%	2.5%	16.9%	5.4%	1.2%	53.6%	15.3%	0.1%	1.5%	100.0%

MECHANIC'S LIENS AND MORTGAGES

	TRIAL DISPOSITIONS	NON-TRIAL DISPOSITIONS					
	Judgment for Plaintiff	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	TOTALS
New Castle	8	271	12	2	120	71	484
Kent	0	39	6	0	30	6	81
Sussex	1	55	0	0	22	8	86
State	9	365	18	2	172	85	651
Percentage of Total:	1.4%	56.1%	2.8%	0.3%	26.4%	13.1%	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL DISPOSITIONS

TERMINATIONS AND ADOPTIONS DISPOSITIONS

	Granted		Dismissed		TOTALS	
New Castle	189	95.9%	8	4.1%	197	100.0%
Kent	40	88.9%	5	11.1%	45	100.0%
Sussex	40	100.0%	0	0.0%	40	100.0%
State	269	95.4%	13	4.6%	282	100.0%

INVOLUNTARY COMMITMENTS DISPOSITIONS

	Dismissed-Voluntary Commitment		Dismissed-No Probable Cause		Dismissed-Not Mentally Ill		Dismissed-Released by Hospital		Dismissed-Defendant Deceased		TOTALS	
New Castle	427	65.3%	0	0.0%	1	0.2%	217	33.2%	9	1.4%	654	100.0%

APPEALS DISPOSITIONS

	Affirmed		Reversed		Modified		Voluntary Dismissal		Court Dismissal		Remanded		Transferred		TOTALS	
New Castle	38	14.8%	23	8.9%	2	0.8%	53	20.6%	115	44.7%	23	8.9%	3	1.2%	257	100.0%
Kent	4	22.2%	0	0.0%	0	0.0%	5	27.8%	6	33.3%	3	16.7%	0	0.0%	18	100.0%
Sussex	9	25.0%	5	13.9%	0	0.0%	11	30.6%	7	19.4%	4	11.1%	0	0.0%	36	100.0%
State	52	16.4%	28	9.0%	2	0.6%	69	22.2%	128	41.2%	30	9.6%	3	1.0%	311	100.0%

MISCELLANEOUS DISPOSITIONS

	Petition/Order Signed or Granted		Petition/Order Denied or Dismissed		Disposition Simultaneous With Filing		TOTALS	
New Castle	249	74.8%	84	25.2%	0	0.0%	333	100.0%
Kent	25	80.6%	3	9.7%	3	9.7%	31	100.0%
Sussex	34	85.0%	4	10.0%	2	5.0%	40	100.0%
State	308	76.2%	91	22.5%	5	1.2%	404	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1979-1980
CIVIL CASES

FILINGS

	1979	1980	Change	% Change
New Castle	3,314*	3,468	+154	+ 4.6%
Kent	395	494	+ 99	+25.1%
Sussex	419	438	+ 19	+ 4.5%
State	4,128*	4,400	+272	+ 6.6%

DISPOSITIONS

	1979	1980	Change	% Change
New Castle	3,126	3,432	+306	+ 9.8%
Kent	296	404	+108	+36.5%
Sussex	345	352	+ 7	+ 2.0%
State	3,767	4,188	+421	+11.2%

PENDING AT END OF YEAR

	1979	1980	Change	% Change
New Castle	2,954*	2,990	+ 36	+ 1.2%
Kent	741	831	+ 90	+12.1%
Sussex	373	459	+ 86	+23.1%
State	4,068*	4,280	+212	+ 5.2%

*Adjusted from 1979 Annual Report.

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL TRIAL ACTIVITY

	# of Jury Trials		# of Non-Jury Trials		# of Special Jury Trials		Total # of Trials	
New Castle	71	51.4%	65	47.1%	2	1.4%	138	100.0%
Kent	9	34.6%	17	65.4%	0	0.0%	26	100.0%
Sussex	7	30.4%	16	69.6%	0	0.0%	23	100.0%
State	87	46.5%	98	52.4%	2	1.1%	187	100.0%

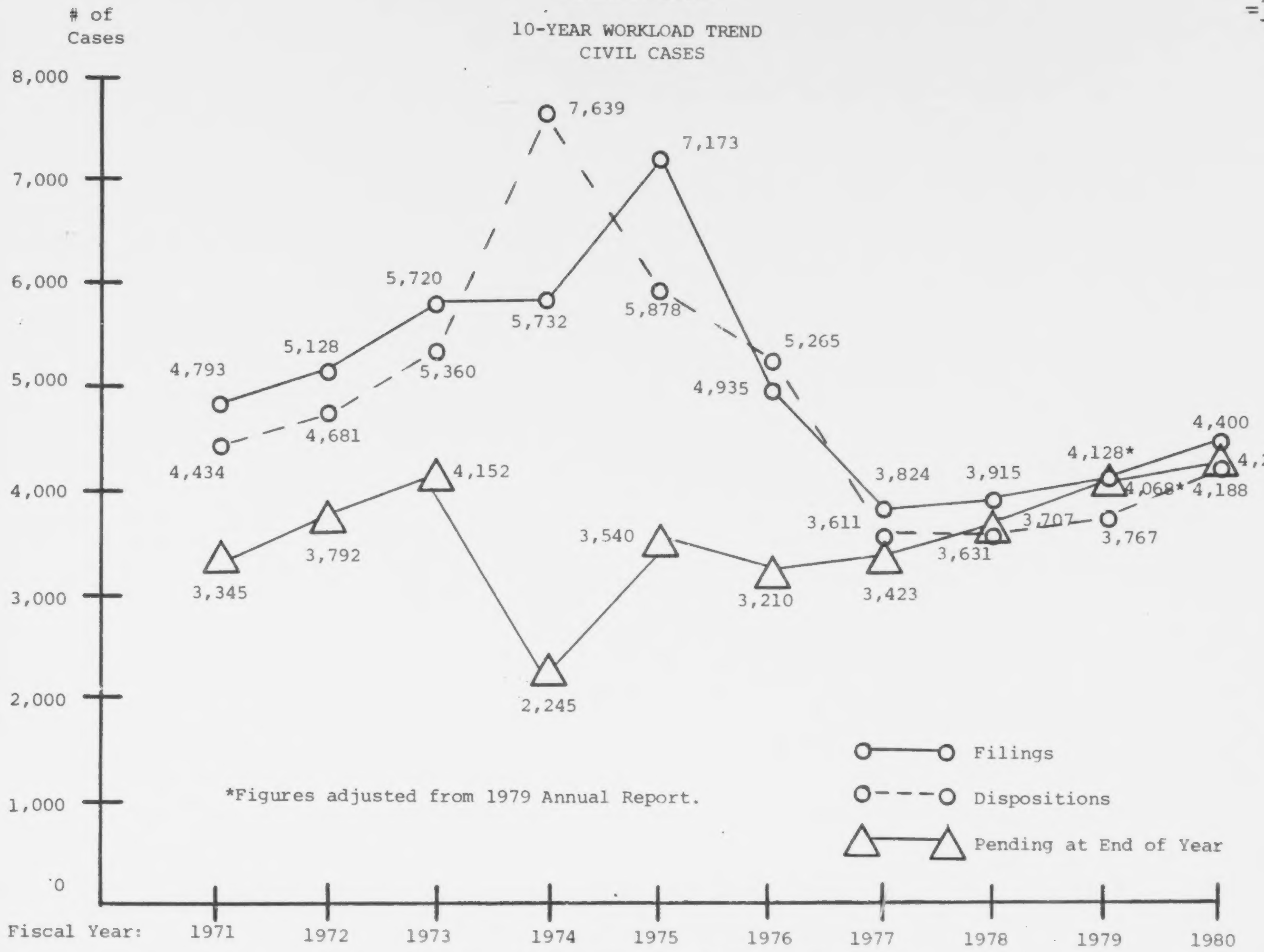
CIVIL CALENDAR ACTIVITY

	Cases Tried		Cases Settled or Dismissed		Cases Continued for Settlement		Cases Continued Due to Lack of Judge		Cases Continued at Request of Attorney		Total Trials Scheduled	
New Castle	138	17.9%	294	38.1%	10	1.3%	15	1.9%	314	40.7%	771	100.0%
Kent	26	9.1%	87	30.4%	34	11.9%	61	21.3%	78	27.3%	286	100.0%
Sussex	24	22.2%	26	24.1%	3	2.8%	5	4.6%	50	46.3%	108	100.0%
State	188	16.1%	407	34.9%	47	4.0%	81	7.0%	442	37.9%	1,165	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotary's Office.

SUPERIOR COURT

10-YEAR WORKLOAD TREND
CIVIL CASES

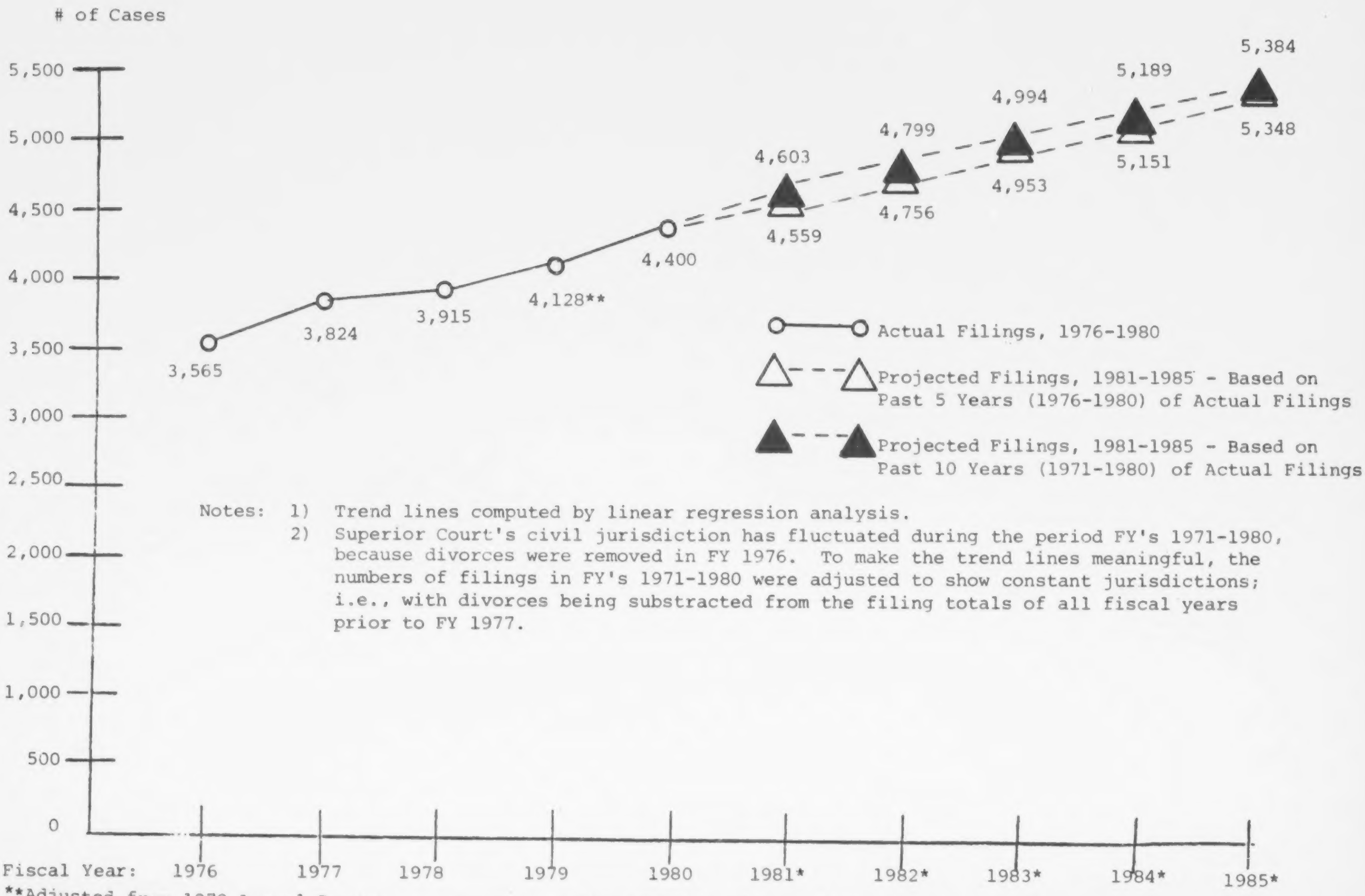


*Figures adjusted from 1979 Annual Report.

Source: Administrative Office of the Courts

SUPERIOR COURT

5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Notes: 1) Trend lines computed by linear regression analysis.

2) Superior Court's civil jurisdiction has fluctuated during the period FY's 1971-1980, because divorces were removed in FY 1976. To make the trend lines meaningful, the numbers of filings in FY's 1971-1980 were adjusted to show constant jurisdictions; i.e., with divorces being substracted from the filing totals of all fiscal years prior to FY 1977.

**Adjusted from 1979 Annual Report. Source: Administrative Office of the Courts
*Projected.

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME

NEW CASTLE

	COMPLAINTS		MECHANIC'S LIENS AND MORTGAGES		TERMINATIONS AND ADOPTIONS	
Month	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition
July 1979	151	868.8 days	61	407.0 days	20	246.9 days
August 1979	121	540.8	68	566.0	12	145.3
September 1979	131	472.7	42	265.4	11	77.8
October 1979	126	401.4	36	97.9	18	113.3
November 1979	126	412.7	32	82.4	17	126.7
December 1979	113	532.7	27	391.0	24	81.3
January 1980	115	500.4	30	395.4	11	131.2
February 1980	124	347.7	43	102.1	24	92.3
March 1980	117	454.7	25	186.6	12	139.3
April 1980	136	420.8	39	101.6	16	164.0
May 1980	124	512.5	45	252.4	13	124.3
June 1980	123	585.7	36	149.0	19	154.9
TOTALS	1,507	509.6 days	484	274.4 days	197	133.0 days

	APPEALS		INVOLUNTARY COMMITMENTS		MISCELLANEOUS	
Month	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition
July 1979	24	854.4 days	72	26.0 days	34	201.8 days
August 1979	36	845.1	56	37.0	20	218.3
September 1979	39	962.3	59	33.4	30	395.9
October 1979	9	255.2	45	31.5	29	53.0
November 1979	20	411.8	53	20.4	37	65.6
December 1979	20	455.7	55	24.1	16	368.4
January 1980	14	483.1	66	50.8	30	56.6
February 1980	14	638.4	52	55.2	30	54.1
March 1980	21	524.8	46	11.1	23	35.7
April 1980	16	484.1	56	19.1	22	37.4
May 1980	6	176.5	52	35.1	39	245.5
June 1980	38	364.7	42	48.3	23	126.0
TOTALS	257	612.8 days	654	32.7 days	333	151.4 days

Avg. = Average

Source: New Castle County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME

KENT

	COMPLAINTS		MECHANIC'S LIENS AND MORTGAGES	
Month	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition
July 1979	38	1,218.3 days	7	1,695.3 days
August 1979	12	437.1	6	598.0
September 1979	11	533.3	5	666.2
October 1979	16	305.9	5	238.8
November 1979	19	823.6	3	55.0
December 1979	15	652.5	1	693.0
January 1980	28	459.6	4	47.0
February 1980	17	467.9	7	110.3
March 1980	26	438.2	3	59.0
April 1980	21	586.9	8	59.0
May 1980	11	523.3	4	119.0
June 1980	15	274.7	28	147.2
TOTALS	229	620.8 days	81	333.9 days

	TERMINATIONS AND ADOPTIONS		APPEALS		MISCELLANEOUS	
Month	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition
July 1979	5	193.0 days	4	1,678.8 days	3	886.0 days
August 1979	2	223.0	2	459.0	1	11.0
September 1979	1	13.0	0	-	3	9.7
October 1979	7	228.9	2	158.5	1	1.0
November 1979	4	632.8	2	123.0	2	20.0
December 1979	0	-	0	-	4	29.5
January 1980	9	125.3	1	592.0	0	-
February 1980	3	157.7	0	-	4	26.3
March 1980	1	242.0	1	136.0	1	24.0
April 1980	1	91.0	3	333.0	5	29.0
May 1980	4	217.5	0	-	3	15.7
June 1980	8	135.3	3	392.0	4	123.3
TOTALS	45	209.8 days	18	616.6 days	31	118.4 days

Avg. = Average

Source: Kent County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME

SUSSEX

	COMPLAINTS		MECHANIC'S LIENS AND MORTGAGES	
Month	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition
July 1979	18	219.7 days	9	178.0 days
August 1979	11	119.4	11	63.3
September 1979	15	346.4	7	317.6
October 1979	8	99.1	12	111.8
November 1979	19	451.5	3	61.0
December 1979	5	152.2	6	148.7
January 1980	18	501.3	9	388.0
February 1980	16	464.3	9	164.1
March 1980	8	379.8	7	156.7
April 1980	11	171.7	6	110.8
May 1980	6	165.8	3	44.0
June 1980	15	343.7	4	51.3
TOTALS	150	320.8 days	86	162.7 days

	TERMINATIONS AND ADOPTIONS		APPEALS		MISCELLANEOUS	
Month	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition	Number	Avg. Time Between Filing and Disposition
July 1979	1	155.0 days	4	318.5 days	0	- days
August 1979	2	159.5	2	82.0	3	4.7
September 1979	6	71.7	5	97.0	12	97.5
October 1979	2	98.5	6	271.2	2	135.5
November 1979	1	45.0	2	333.5	5	41.0
December 1979	5	180.4	0	-	0	-
January 1980	3	142.7	1	268.0	2	235.5
February 1980	2	106.0	1	224.0	3	190.3
March 1980	9	234.6	0	-	13	124.3
April 1980	0	-	2	617.5	0	-
May 1980	6	82.3	1	100.0	0	-
June 1980	3	57.3	12	314.5	0	-
TOTALS	40	136.6 days	36	272.8 days	40	107.9 days

Avg. = Average

Source: Sussex County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME

STATE

Month	COMPLAINTS Number	COMPLAINTS Avg. Time Between Filing and Disposition	MECHANIC'S LIENS AND MORTGAGES Number	MECHANIC'S LIENS AND MORTGAGES Avg. Time Between Filing and Disposition	TERMINATIONS AND ADOPTIONS Number	TERMINATIONS AND ADOPTIONS Avg. Time Between Filing and Disposition
July 1979	207	876.5 days	77	497.4 days	26	233.0 days
August 1979	144	500.0	85	503.2	16	156.8
September 1979	157	464.8	54	309.3	18	72.2
October 1979	150	375.1	53	114.3	27	142.1
November 1979	164	464.5	38	78.5	22	215.0
December 1979	133	531.9	34	357.1	29	98.4
January 1980	161	493.4	43	361.4	23	130.4
February 1980	157	372.6	59	112.6	29	100.0
March 1980	151	447.9	35	169.2	22	183.0
April 1980	168	425.2	53	96.2	17	159.7
May 1980	141	498.6	52	230.1	23	129.4
June 1980	153	531.5	68	142.5	30	139.9
TOTALS	1,886	508.1 days	651	267.0 days	282	145.7 days

Month	APPEALS Number	APPEALS Avg. Time Between Filing and Disposition	INVOLUNTARY COMMITMENTS Number	INVOLUNTARY COMMITMENTS Avg. Time Between Filing and Disposition	MISCELLANEOUS Number	MISCELLANEOUS Avg. Time Between Filing and Disposition
July 1979	32	890.4 days	72	26.0 days	37	257.3 days
August 1979	40	787.7	56	37.0	24	182.9
September 1979	44	864.0	59	33.4	45	290.6
October 1979	17	249.5	45	31.5	32	56.5
November 1979	24	381.2	53	20.4	44	60.8
December 1979	20	455.7	55	24.1	20	300.6
January 1980	16	476.4	66	50.8	32	67.8
February 1980	15	610.7	52	55.2	37	62.1
March 1980	22	507.1	46	11.1	37	66.5
April 1980	21	475.2	56	19.1	27	35.9
May 1980	7	165.6	52	35.1	42	229.1
June 1980	53	354.9	42	48.3	27	125.6
TOTALS	311	573.6 days	654	32.7 days	404	144.5 days

Avg. = Average

Source: New Castle, Kent, and Sussex County Prothonotary's Offices

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - COMPLAINTS - PART ONE

NEW CASTLE

Month	Cases Placed for Trial		Cases Not Placed for Trial		Total Cases	
	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition
July 1979	41	858.1 days	110	872.8 days	151	868.8 days
August 1979	27	619.6	94	518.2	121	540.8
September 1979	42	586.6	89	418.9	131	472.7
October 1979	58	608.7	68	224.6	126	401.4
November 1979	57	624.0	69	238.1	126	412.7
December 1979	30	658.0	83	487.4	113	532.7
January 1980	42	863.2	73	291.1	115	500.4
February 1980	29	641.7	95	258.0	124	347.7
March 1980	33	683.5	84	364.8	117	454.7
April 1980	33	717.3	103	325.7	136	420.8
May 1980	40	764.4	84	392.6	124	512.5
June 1980	35	950.9	88	440.5	123	585.7
TOTALS	467	711.1 days	1,040	419.1 days	1,507	509.6 days
Percentage of Total:	31.0%		69.0%		100.0%	

KENT - SUSSEX - STATE

Month	Cases Placed for Trial		Cases Not Placed for Trial		Total Cases	
	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition
	------------------------------Not Available------------------------------					

Source: New Castle County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - COMPLAINTS - PART TWO

NEW CASTLE

Cases Disposed of By:

	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
Month	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	7	826.0 days	21	73.0 days	53	477.6 days	70	1408.0 days	151	868.8 days
August 1979	6	576.3	22	72.8	44	474.8	49	805.9	121	540.8
September 1979	6	717.0	23	139.9	58	441.1	44	654.8	131	472.7
October 1979	7	520.0	29	64.2	78	492.2	12	556.3	126	401.4
November 1979	11	872.6	23	116.3	82	435.6	10	400.2	126	412.7
December 1979	8	627.5	11	89.9	56	432.3	38	788.9	113	532.7
January 1980	14	832.1	13	154.1	65	505.8	23	479.1	115	500.4
February 1980	11	472.6	24	109.4	64	385.2	25	425.4	124	347.7
March 1980	7	722.6	17	118.9	58	473.6	35	532.9	117	454.7
April 1980	7	676.9	21	172.9	83	440.9	25	490.3	136	420.8
May 1980	7	688.3	20	104.3	81	524.5	16	885.3	124	512.5
June 1980	6	1157.8	15	268.2	74	520.2	28	806.4	123	585.7
TOTALS	97	723.8 days	239	118.3 days	796	468.2 days	375	791.5 days	1507	509.6 days

No. = Number
Avg. = Average

Source: New Castle County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME – COMPLAINTS – PART TWO

KENT

Cases Disposed of By:

	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
Month	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	0	- days	5	251.4 days	7	658.6 days	26	1554.9 days	38	1218.3 days
August 1979	0	-	2	71.0	9	560.0	1	63.0	12	437.1
September 1979	1	611.0	0	-	9	572.2	1	105.0	11	533.3
October 1979	0	-	0	-	15	321.0	1	79.0	16	305.9
November 1979	1	1192.0	0	-	16	820.5	2	664.0	19	823.6
December 1979	0	-	1	55.0	11	737.6	3	539.3	15	652.5
January 1980	1	433.0	1	366.0	24	480.3	2	271.5	28	459.6
February 1980	0	-	5	162.6	12	595.2	0	-	17	467.9
March 1980	4	850.3	7	70.3	10	469.5	5	561.0	26	438.2
April 1980	3	678.0	4	31.5	13	698.0	1	1091.0	21	586.9
May 1980	1	568.0	2	39.5	8	638.6	0	-	11	523.3
June 1980	1	732.0	3	121.0	8	304.0	3	198.0	15	274.7
TOTALS	12	747.6 days	30	123.1 days	142	569.3 days	45	1081.2 days	229	620.8 days

No. = Number
Avg. = Average

Source: Kent County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - COMPLAINTS - PART TWO

SUSSEX

Cases Disposed of By:

	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
Month	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	2	303.5 days	4	58.8 days	11	263.3 days	1	217.0 days	18	219.7 days
August 1979	1	104.0	6	102.8	4	148.0	0	-	11	119.4
September 1979	0	-	6	147.8	5	439.6	4	527.8	15	346.4
October 1979	0	-	4	50.5	3	175.3	1	65.0	8	99.1
November 1979	1	1362.0	5	302.8	11	378.0	2	772.5	19	451.5
December 1979	0	-	3	120.7	2	199.5	0	-	5	152.2
January 1980	0	-	3	43.0	7	582.9	8	601.9	18	501.3
February 1980	0	-	3	36.3	8	540.8	5	598.8	16	464.3
March 1980	1	1278.0	2	162.0	5	287.2	0	-	8	379.8
April 1980	0	-	4	43.0	7	245.3	0	-	11	171.7
May 1980	0	-	3	95.0	3	236.7	0	-	6	165.8
June 1980	3	484.0	6	92.7	5	531.6	1	489.0	15	343.7
TOTALS	8	600.4 days	49	110.0 days	71	361.9 days	22	556.2 days	150	320.8 days

No. = Number
Avg. = Average

Source: Sussex County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - COMPLAINTS - PART TWO

STATE

Cases Disposed of By:

Month	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	9	709.9 days	30	100.8 days	71	462.2 days	97	1435.1 days	207	876.5 days
August 1979	7	508.9	30	78.7	57	465.3	50	791.1	144	500.0
September 1979	7	701.9	29	141.6	72	457.4	49	633.2	157	464.8
October 1979	7	520.0	33	62.5	96	455.6	14	487.1	150	375.1
November 1979	13	934.8	28	149.6	109	486.3	14	491.1	164	464.5
December 1979	8	627.5	15	93.7	69	474.3	41	770.6	133	531.9
January 1980	15	805.5	17	146.9	96	505.1	33	496.3	161	493.4
February 1980	11	472.6	32	110.9	84	430.0	30	454.3	157	372.6
March 1980	12	811.4	26	109.1	73	460.3	40	536.4	151	447.9
April 1980	10	677.2	29	135.4	103	460.1	26	513.4	168	425.2
May 1980	8	673.3	25	98.0	92	525.1	16	885.3	141	498.6
June 1980	10	913.1	24	205.9	87	501.0	32	739.4	153	531.5
TOTALS	117	717.8 days	318	117.5 days	1009	475.0 days	442	809.3 days	1886	508.1 days

No. = Number
Avg. = Average

Source: New Castle, Kent, and Sussex County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART ONE

NEW CASTLE

	Cases Placed for Trial		Cases Not Placed for Trial		Total Cases	
Month	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition
July 1979	4	816.3 days	57	378.3 days	61	407.0 days
August 1979	3	778.3	65	556.2	68	566.0
September 1979	3	887.0	39	217.6	42	265.4
October 1979	1	209.0	35	94.7	36	97.9
November 1979	0	-	32	82.4	32	82.4
December 1979	1	608.0	26	382.7	27	391.0
January 1980	0	-	30	395.4	30	395.4
February 1980	1	368.0	42	95.8	43	102.1
March 1980	0	-	25	186.6	25	186.6
April 1980	0	-	39	101.6	39	101.6
May 1980	2	339.0	43	248.4	45	25[illegible].4
June 1980	2	622.5	34	121.1	36	149.0
TOTALS	17	668.8 days	467	260.0 days	484	274.4 days
Percentage of Total:	3.5%		96.5%		100.0%	

KENT - SUSSEX - STATE

	Cases Placed for Trial		Cases Not Placed for Trial		Total Cases	
Month	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition	Number	Average Elapsed Time from Filing to Disposition
	------------------------------Not Available--					

Source: New Castle County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

NEW CASTLE

Cases Disposed of By:

	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
Month	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	1	494.0 days	25	153.9 days	27	487.8 days	8	914.8 days	61	407.0 days
August 1979	1	479.0	25	89.3	8	530.3	34	927.5	68	566.0
September 1979	2	433.0	23	81.2	8	310.6	9	658.9	42	265.4
October 1979	0	-	25	87.2	10	113.3	1	209.0	36	97.9
November 1979	0	-	25	72.3	7	118.3	0	-	32	82.4
December 1979	1	608.0	13	103.2	7	348.4	6	1028.3	27	391.0
January 1980	0	-	17	86.2	6	96.5	7	1402.6	30	395.4
February 1980	0	-	33	85.3	9	137.7	1	337.0	43	102.1
March 1980	0	-	14	79.3	11	323.2	0	-	25	186.6
April 1980	0	-	30	73.9	9	193.8	0	-	39	101.6
May 1980	1	554.0	20	72.1	7	37.7	17	535.2	45	252.4
June 1980	2	622.5	21	79.9	11	90.1	2	725.5	36	149.0
TOTALS	8	530.8 days	271	88.6 days	120	272.2 days	85	845.5 days	484	274.4 days

No. = Number
Avg. = Average

Source: New Castle County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

KENT

Cases Disposed of By:

	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
Month	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	0	- days	1	51.0 days	0	- days	6	1969.3 days	7	1695.3 days
August 1979	0	-	3	248.3	3	947.7	0	-	6	598.0
September 1979	0	-	3	48.3	1	1999.0	1	1187.0	5	666.2
October 1979	0	-	4	266.0	1	130.0	0	-	5	238.8
November 1979	0	-	2	31.0	1	103.0	0	-	3	55.0
December 1979	0	-	0	-	1	693.0	0	-	1	693.0
January 1980	0	-	3	51.3	1	34.0	0	-	4	47.0
February 1980	0	-	7	110.3	0	-	0	-	7	110.3
March 1980	0	-	3	59.0	0	-	0	-	3	59.0
April 1980	0	-	6	57.5	2	63.5	0	-	8	59.0
May 1980	0	-	2	50.5	1	120.0	1	255.0	4	119.0
June 1980	0	-	5	58.4	19	179.2	4	106.3	28	147.2
TOTALS	0	- days	39	100.2 days	30	315.1 days	12	1140.3 days	81	333.9 days

No. = Number
Avg. = Average

Source: Kent County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

SUSSEX

Cases Disposed of By:

	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
Month	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	0	- days	5	141.8 days	3	238.0 days	1	179.0 days	9	178.0 days
August 1979	0	-	6	58.8	5	68.6	0	-	11	63.3
September 1979	0	-	2	107.5	2	217.0	3	524.7	7	317.6
October 1979	0	-	10	75.3	2	294.0	0	-	12	111.8
November 1979	0	-	2	43.0	1	97.0	0	-	3	61.0
December 1979	0	-	4	107.0	2	232.0	0	-	6	148.7
January 1980	1	354.0	5	229.0	0	-	3	664.3	9	388.0
February 1980	0	-	5	73.8	3	173.3	1	588.0	9	164.1
March 1980	0	-	6	139.2	1	244.0	0	-	7	156.7
April 1980	0	-	5	112.8	1	101.0	0	-	6	110.8
May 1980	0	-	2	55.0	1	22.0	0	-	3	44.0
June 1980	0	-	3	44.0	1	73.0	0	-	4	51.3
TOTALS	1	354.0 days	55	103.6 days	22	163.6 days	8	541.9 days	86	162.7 days

No. = Number
Avg. = Average

Source: Sussex County Prothonotary's Office

SUPERIOR COURT

FISCAL YEAR 1980
CIVIL PERFORMANCE
ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

STATE

Cases Disposed of By:

	TRIAL		DEFAULT JUDGMENT		VOLUNTARY DISMISSAL		OTHER		TOTALS	
Month	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1979	1	494.0 days	31	148.6 days	30	462.8 days	15	1287.5 days	77	497.4 days
August 1979	1	479.0	34	97.9	16	464.3	34	927.5	85	503.2
September 1979	2	433.0	28	79.5	11	447.1	13	668.5	54	309.3
October 1979	0	-	39	102.5	13	142.4	1	209.0	53	114.3
November 1979	0	-	29	67.4	9	114.2	0	-	38	78.5
December 1979	1	608.0	17	104.1	10	359.6	6	1028.3	34	357.1
January 1980	1	354.0	25	110.6	7	87.6	10	1181.1	43	361.4
February 1980	0	-	45	87.9	12	146.6	2	462.5	59	112.6
March 1980	0	-	23	92.3	12	316.6	0	-	35	169.2
April 1980	0	-	41	76.2	12	164.3	0	-	53	96.2
May 1980	1	554.0	24	68.8	9	45.1	18	519.7	52	230.1
June 1980	2	622.5	29	72.5	31	144.1	6	312.7	68	142.5
TOTALS	9	511.1 days	365	92.1 days	172	265.8 days	105	856.0 days	651	267.0 days

No. = Number
Avg. = Average

Source: New Castle, Kent, and Sussex County Prothonotary's Office

Law Libraries

LAW LIBRARIES

There are three Law Libraries located in the State of Delaware, staffed and maintained by state funds and each presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

The primary function of the Law Libraries is to provide a legal information center for the Judiciary, Public Defender's Office, legal representatives of counties and municipalities, city solicitors, and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations, and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. All three libraries are designated as official depository libraries by the U. S. Government Printing Office. As state-supported agencies, the libraries are available to the general public during normal working hours. Aid and assistance is rendered to persons wishing to make use of the facilities.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses in excess of 25,000 books and there is presently seated working space for about 26 persons at one time. The recent addition of a Microfiche reader printer to the New Castle County Law Library has proven to be a valuable addition. The facility is maintained and administered by one full-time Law Librarian. The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state with about 35,000 volumes and is staffed by one full-time librarian and one part-time assistant. The Sussex County Law Library is staffed by one Law Librarian and houses over 13,000 volumes.

All three libraries are currently in need of space for expansion due to the growing number of volumes. In addition, the Kent and Sussex Libraries have recently experienced physical problems - leaking roofs in Kent and structural difficulties in Sussex.

The Law Libraries are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: insertion of pocket parts, maintenance of loose leaf service bookkeeping for the agency's accounts, preparing invoices for library expenditures, filing and indexing reported and unreported opinions from the several courts, obtaining and filing copies of rules and regulations promulgated by the governmental agencies, maintaining of books and their monetary values, obtaining and filing statutes from the legislative council and other states, handling requests from various persons for information contained in the library, handling special requests for research work from the judges, planning and recommending development and improvement of services, writing reports, and performing other duties associated with library work.

LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Law Librarian Rene Yucht	Law Librarian Carol N. Russell	Law Librarian Mary F. Tylecki
	Assistant Librarian Judy Skadsburg	

ADDRESSES

New Castle County Law Library
Public Building
1020 King Street
Wilmington, DE 19801
(571-2437)

Kent County Law Library
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-5467, 736-1525)

Sussex County Law Library
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5483, 856-5235)

Family Court

FAMILY COURT

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has broad civil and criminal jurisdiction over domestic relations matters and over juveniles (persons under 18 years of age) who are dependent, neglected, or delinquent. Additionally, Family Court gained jurisdiction over adoptions and terminations on September 9, 1980.

Domestic relations jurisdiction includes divorces and annulments, property settlements, separate maintenance of spouses, custody and visitation of children, non-support of dependents, and actions involving family discord.

Matters heard in the interest of a child include neglect, abuse, abandonment, and contribution to the delinquency of a minor, and juvenile delinquency.

Adoptions and terminations originally filed in Superior Court will be heard in Superior Court. All adoptions and terminations filed after September 9, 1980 are filed in Family Court and will be disposed of there.

The Family Court does not have jurisdiction over adults charged with felonies nor juveniles charged with first degree murder, rape, or kidnapping.

Appeals are made, usually on the record, to Superior Court, except divorce and support cases, which are appealed on the record to the Supreme Court.

Judges

Number: There are positions for 12 judges of equal judicial authority; one is appointed Chief Judge with administrative responsibility for the Court, and the remaining 11 are Associate Judges. At present, one of the Associate Judge positions is vacant. Half of the judges must be of one major political party and half of the other major political party.

Appointment: The Governor appoints Family Court judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed. The Chief Judge may reside in any county. After appointment, 7 of the Associate Judges must reside in New Castle County, one in Kent County, and one in Sussex County, and one in either Kent or Sussex County.

Other Judicial Personnel

The Chief Judge appoints and commissions suitable persons, who must have resided in the State for at least five years prior to appointment, to act as masters in the Court. Masters may hear any matters properly before them, and their decisions become judgments of the Court unless disapproved by a judge. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's decision.

Support Personnel

The Family Court employs a staff of more than 200 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, and process servers.

Caseload Trend

Filings in Family Court rose only slightly in FY 1980, from 27,555 in FY 1979 to 27,625 in FY 1980. This represents an increase of but .03%. Dispositions decreased by 810, or 3.0%, from 26,892 in FY 1979 to 26,082 in FY 1980.

The filings that were pending increased from 4,839, or 17.6% of FY 1979 filings, to 6,382 at the end of FY 1980, which equalled 23.1% of that year's filings. The greatest increases in filings that were pending at the close of FY 1980 were in the areas of juvenile felonies, support arrears and modifications, divorces and annulments, and divorce ancillary matters.

FAMILY COURT

Chief Judge
Hon. Robert D. Thompson (D, 10/25/86)
Grace Davis, Secretary
(856-5301)

New Castle County
Associate Judges

Hon. Roxana C. Arsht (D, 7/28/83)
Sally McKendrick, Secretary
(571-2257)
Hon. Robert W. Wakefield (R, 3/16/84)
Janie Bebber, Secretary
(571-2254)
Hon. James J. Horgan (D, 9/29/88)
Pat Sanchez, Secretary
(571-2229)
Hon. Jay Paul James (R, 6/30/90)
Bernadette DiFrancesco, Secretary
(571-2226)
Hon. Karl J. Parrish (D, 10/30/90)
Carol Walton, Secretary
(571-2232)
Hon. Vincent J. Poppiti (D, 1/24/91)
Mary Jane DeMatteis, Secretary
(571-2432)
Hon. John T. Gallagher (D, 11/6/91)
Lynn Booth, Secretary
(571-3923)
Vacant
Vacant, Secretary

Kent County
Associate Judges

Hon. David P. Buckson (R, 4/24/87)
Ruth Potter, Secretary
(736-4565)
Hon. Roger D. Kelsey (R, 7/28/87)
Karen Price, Secretary
(736-4513)

Sussex County
Associate Judges

Hon. William Swain Lee (R, 7/1/89)
Mary Lu McCabe, Secretary
(856-5417)

FAMILY COURT

SUPPORT PERSONNEL

MASTERS

Chief Master
D. Thomas Reardon
Edith White, Secretary
(571-2327)

NEW CASTLE COUNTY

Masters
William H. McDonough
Ellen McGaughan, Secretary
(571-2417)
David J. Haley
Margaret Creswell, Secretary
(571-2303)
Frederic H. Kenney
Evelyn Barkovic, Secretary
(571-2593)
Francine Gritz
Carol Strannahan, Secretary
(571-3867)
Susan F. Paikin
Lynne Taylor, Secretary
(571-2212)
Nathan Rosbrow
(571-2328)

KENT COUNTY

Gary E. Grubb
Carol Paisley, Secretary
(736-5030, 736-5031)
Rosemary Betts
(736-5030, 736-5031)

SUSSEX COUNTY

SUPPORT PERSONNEL

STATE OFFICE

COURT OPERATIONS

Director
William E. Davies
Patti Piovoso, Secretary
(571-2209)

Assistant Director for Treatment Services
Ernest W. Goldsborough
(571-2818)

FISCAL SERVICES

Director
William B. Breighner
(571-2222)

PERSONNEL SERVICES

Director
Robert Jackson
(571-2296)

FAMILY COURT

STATE OFFICE

SUPPORT PERSONNEL (CONTINUED)

COURT OPERATIONS

Assistant Director for Research and Development
Emmett M. Partin
(571-2215)

COURT OPERATIONS

NEW CASTLE COUNTY

Deputy Director
Edmund G. Pierce
Suzanne Herrmann, Secretary
(571-2216)

Manager, Clerk of Court Services
Frank Jornlin
(571-2233)

Manager of Judiciary Operations
Randall E. Williams
(571-2241)

Manager of Diversion Operations
Regena Manley
(571-2611)

Manager of Treatment Services
Mary Lawson
(571-2236)

ADDRESSES

The Family Court
P.O. Box 2359
900 King Street
Wilmington, DE 19801
(571-2200)

KENT COUNTY

Deputy Director
James F. Truitt
Maureen Haldeman, Secretary
(736-4297)

Manager, Clerk of Court Services
Wanda Haldeman
(736-4503)

Manager of Judiciary Operations
Linda Lesser
(736-4504)

Manager of Diversion Operations
Donna Speed
(736-4577)

Manager of Treatment Services
Richard Speed
(736-5028)

The Family Court
P.O. Box 310
Arden Building
11 North Street
Dover, DE 19901
(736-4501)

SUSSEX COUNTY

Deputy Director
Robert F. Stuart
(856-5515)

Manager, Clerk of Court Services and Judiciary Operations
Ann Spicer
(856-5309)

Manager of Treatment Services and Diversion Operations
Daniel P. Myers
(856-5330)

The Family Court
P.O. Box 609
Family Court Building
The Circle
Georgetown, DE 19947
(856-7702)

FAMILY COURT

FISCAL YEAR 1980
WORKLOAD

	# of Defendants and Civil Cases				
NEW CASTLE	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Adult Criminal	205*	1,706	1,763	148	- 57
Juvenile Delinquency	1,152*	6,303	5,873	1,582	+ 430
Divorces and Annulments	507	2,342	2,085	764	+ 257
Other Civil	1,425	6,892	6,314	2,003	+ 578
TOTALS	3,289*	17,243	16,035	4,497	+1,208

	# of Defendants and Civil Cases				
KENT	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Adult Criminal	72*	339	357	54	- 18
Juvenile Delinquency	275*	1,253	1,313	215	- 60
Divorces and Annulments	191	774	714	251	+ 60
Other Civil	528	2,603	2,462	669	+ 141
TOTALS	1,066*	4,969	4,846	1,189	+ 123

	# of Defendants and Civil Cases				
SUSSEX	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Adult Criminal	4	309	285	28	+ 24
Juvenile Delinquency	138*	1,399	1,366	171	+ 33
Divorces and Annulments	127	579	589	117	- 10
Other Civil	215	3,126	2,961	380	+ 165
TOTALS	484*	5,413	5,201	696	+ 212

	# of Defendants and Civil Cases				
STATE	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Adult Criminal	281*	2,354	2,405	230	- 51
Juvenile Delinquency	1,565*	8,955	8,552	1,968	+ 403
Divorces and Annulments	825	3,695	3,388	1,132	+ 307
Other Civil	2,168	12,621	11,737	3,052	+ 884
TOTALS	4,839*	27,625	26,082	6,382	+1,543

*Adjusted from 1979 Annual Report.

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1980
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal and juvenile delinquency cases is the defendant case.

2. A defendant case is defined as one or more incidents filed against a defendant at a single point in time. A defendant with more than one charge against him is counted as one defendant. A defendant brought before Family Court twice during the same fiscal year for separate incidents is counted as two defendants.

3. The unit of count in divorces and annulments and other civil actions is the case filing.

4. A civil case filing is defined as a single civil incident filed with Family Court. A civil incident may be initiated by a petition or contempt complaint.

FAMILY COURT

FISCAL YEAR 1980
TOTAL FILINGS

# of Defendants and Civil Cases	Adult Criminal		Juvenile Delinquency		Divorces and Annulments		Other Civil		TOTALS	
New Castle	1,706	9.9%	6,303	36.6%	2,342	13.6%	6,892	40.0%	17,243	100.0%
Kent	339	6.8%	1,253	25.2%	774	15.6%	2,603	52.4%	4,969	100.0%
Sussex	309	5.7%	1,399	25.8%	579	10.7%	3,126	57.7%	5,413	100.0%
Statewide	2,354	8.5%	8,955	32.4%	3,695	13.4%	12,621	45.7%	27,625	100.0%

JUVENILE DELINQUENCY FILINGS

# of Defendants	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	1,526	24.8%	4,189	66.5%	552	8.8%	6,303	100.0%
Kent	316	25.2%	824	65.8%	113	9.0%	1,253	100.0%
Sussex	250	17.9%	1,060	75.8%	89	6.4%	1,399	100.0%
Statewide	2,128	23.8%	6,073	67.8%	754	8.4%	8,955	100.0%

OTHER CIVIL FILINGS

# of Cases	New Support		Arrearages and Modifications		Custody/ Visitation		Visitation		Imperiling		Ancillary Matters		Other Civil		TOTALS	
New Castle	1,931	28.0%	1,748	25.4%	1,073	15.6%	323	4.7%	437	6.3%	673	9.8%	707	10.2%	6,892	100.0%
Kent	706	27.1%	658	25.3%	737	28.3%	104	4.0%	37	1.4%	266	10.2%	95	3.6%	2,603	100.0%
Sussex	751	24.0%	1,043	33.4%	685	21.9%	110	3.5%	16	0.5%	388	12.4%	133	4.3%	3,126	100.0%
Statewide	3,388	26.8%	3,449	27.3%	2,495	19.8%	537	4.3%	490	3.9%	1,327	10.5%	935	7.4%	12,621	100.0%

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1980
TOTAL DISPOSITIONS

	# of Defendants and Civil Cases									
	Adult Criminal		Juvenile Delinquency		Divorces and Annulments		Other Civil		TOTALS	
New Castle	1,763	11.0%	5,873	36.6%	2,085	13.0%	6,314	39.4%	16,035	100.0%
Kent	357	7.4%	1,313	27.1%	714	14.7%	2,462	50.8%	4,846	100.0%
Sussex	285	5.5%	1,366	26.3%	589	11.3%	2,961	56.9%	5,201	100.0%
State	2,405	9.2%	8,552	32.8%	3,388	13.0%	11,737	45.0%	26,082	100.0%

Source: Director of Court Operations, Family Court

FAMILY COURT

COMPARISON - FISCAL YEARS 1979-1980
WORKLOAD

FILINGS

	# of Defendants and Civil Cases 1979	1980	Change	% Change
New Castle	17,983*	17,243	- 740	- 4.1%
Kent	4,730*	4,969	+ 239	+ 5.1%
Sussex	4,842*	5,413	+ 571	+11.8%
State	27,555*	27,625	+ 70	+ 0.1%

DISPOSITIONS

	# of Defendants and Civil Cases 1979	1980	Change	% Change
New Castle	17,417*	16,035	-1382	- 7.9%
Kent	4,556*	4,846	+ 290	+ 6.4%
Sussex	4,919*	5,201	+ 282	+ 5.7%
State	26,892*	26,082	- 810	- 3.0%

PENDING AT END OF YEAR

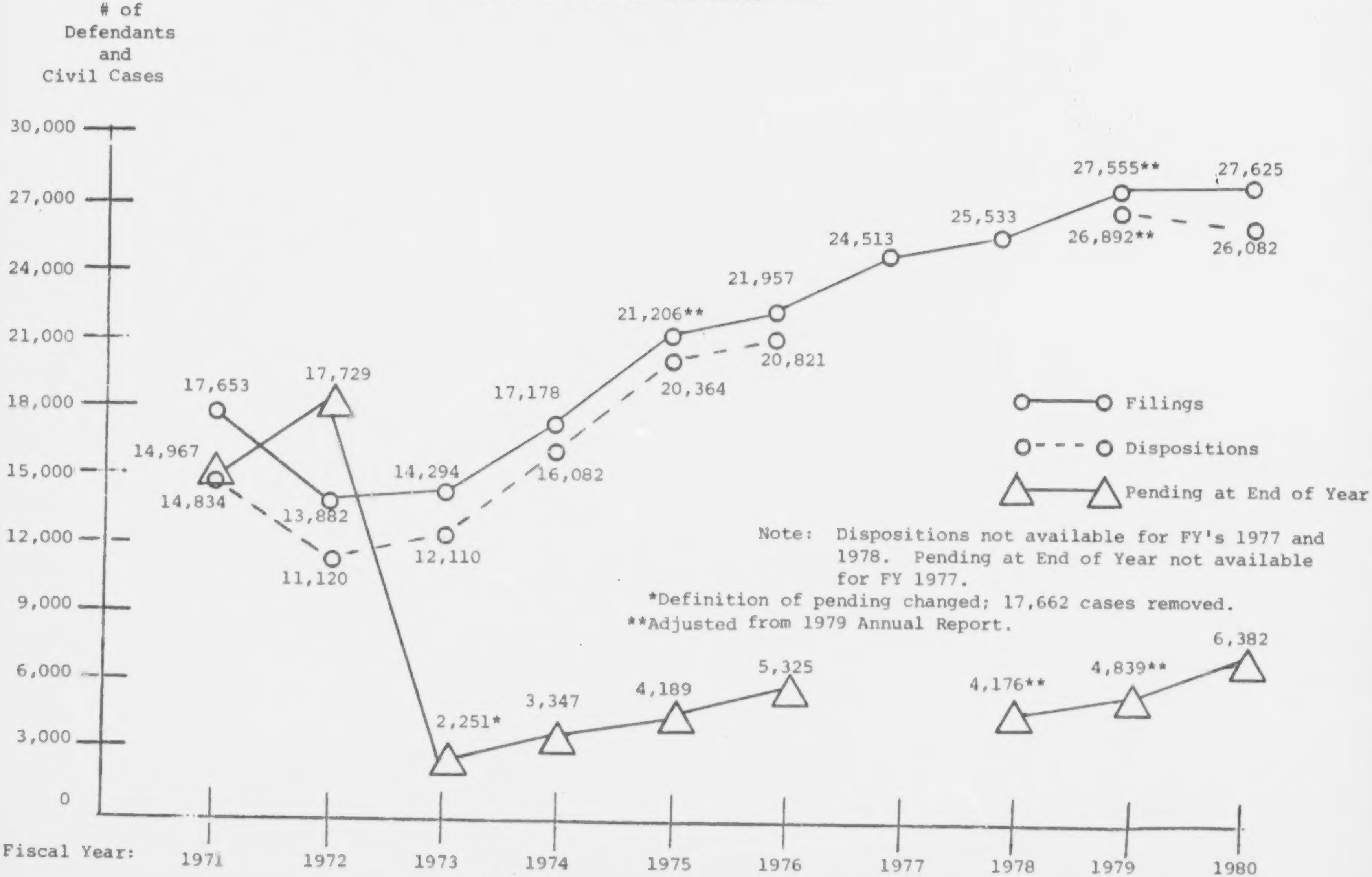
	# of Defendants and Civil Cases 1979	1980	Change	% Change
New Castle	3,289*	4,497	+1208	+36.7%
Kent	1,066*	1,189	+ 123	+11.5%
Sussex	484*	696	+ 212	+43.8%
State	4,839*	6,382	+1543	+31.9%

*Adjusted from 1979 Annual Report.

Source: Director of Court Operations, Family Court, and Administrative Office of the Courts

FAMILY COURT

10-YEAR WORKLOAD TREND
TOTAL DEFENDANTS AND CIVIL CASES



Note: Dispositions not available for FY's 1977 and 1978. Pending at End of Year not available for FY 1977.

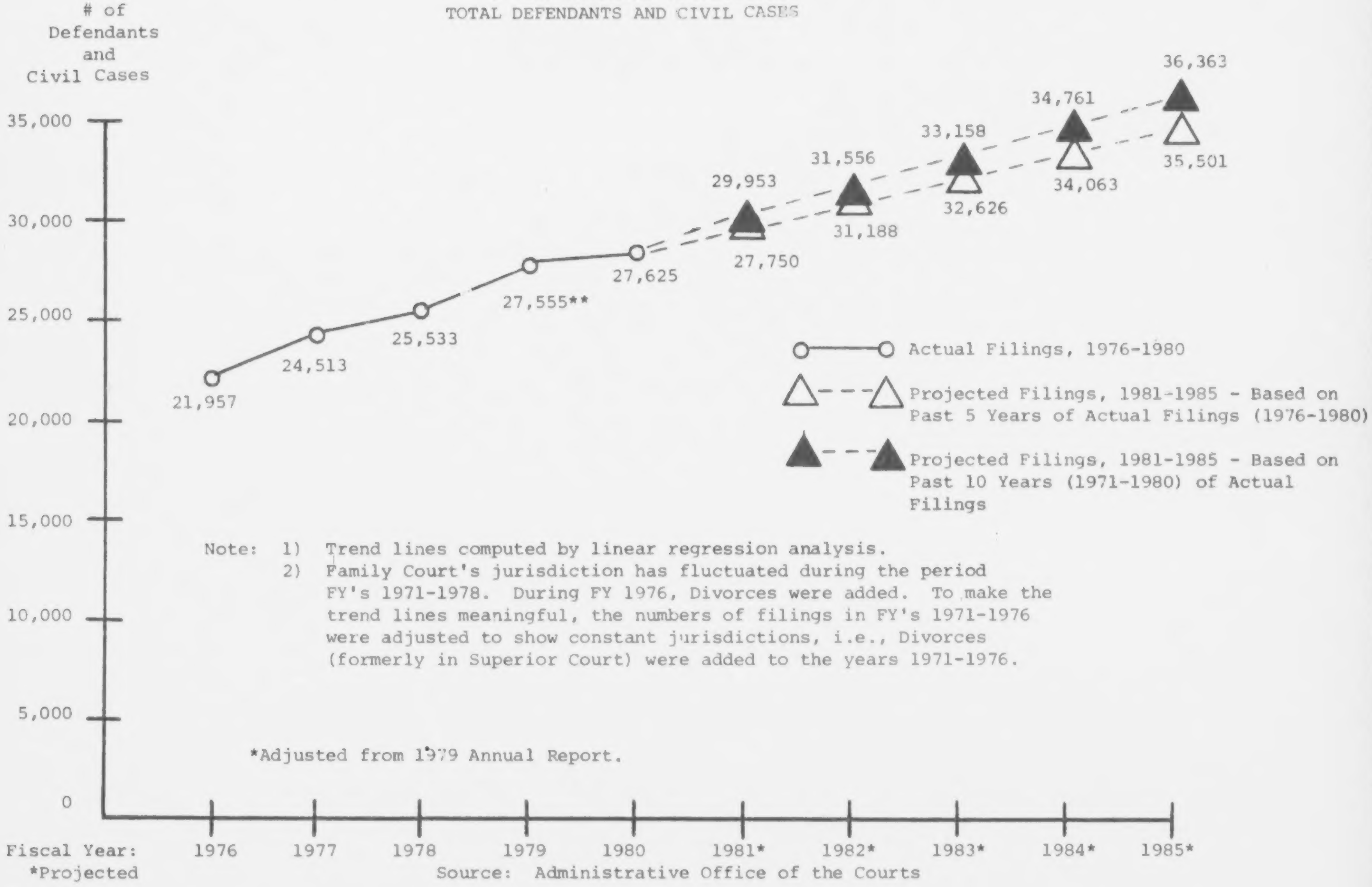
*Definition of pending changed; 17,662 cases removed.

**Adjusted from 1979 Annual Report.

Source: Administrative Office of the Courts

FAMILY COURT

5-YEAR WORKLOAD PROJECTIONS
TOTAL DEFENDANTS AND CIVIL CASES



Note: 1) Trend lines computed by linear regression analysis.
2) Family Court's jurisdiction has fluctuated during the period FY's 1971-1978. During FY 1976, Divorces were added. To make the trend lines meaningful, the numbers of filings in FY's 1971-1976 were adjusted to show constant jurisdictions, i.e., Divorces (formerly in Superior Court) were added to the years 1971-1976.

*Adjusted from 1979 Annual Report.

Source: Administrative Office of the Courts

Court of Common Pleas

COURT OF COMMON PLEAS

Legal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15, and 16, effective July 5, 1973.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed $5,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases (other than possession of marijuana), and those occurring within the corporate limits of the City of Wilmington. It also is responsible for all preliminary hearings. Jury trial is available to all defendants but in New Castle County jury trials are referred to Superior Court for disposition.

Judges

There are five Judges of the Court of Common Pleas, one Chief Judge and four Resident Judges. The Judges are appointed by the Governor with the consent of the Senate for 12 year terms and must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. No more than a majority of one judge may be from the same political party.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, and consist of a Court Administrator (Chief Clerk), one Chief Deputy Clerk for each county, and such other employees as are necessary, including Bailiffs, Court Reporters, Secretaries, Clerks, Presentence Officers, etc.

Caseload Trend

The number of criminal and civil cases filed in the Court of Common Pleas rose dramatically in FY 1980. This is in sharp contrast to the reduction in civil cases filed in the Court of Common Pleas during FY 1978. Criminal case filings rose sharply in all three counties, increasing by about 30% in each county with a statewide increase of 28.6%. This was very much like FY 1979 for Kent and Sussex Counties, but there was a rise of 28.3% in FY 1980 criminal filings for New Castle County as compared with a rise of but 6.3% in FY 1979. The statewide increase of 13.4% in FY 1979 was thus much less than the 28.6% rise in FY 1980. Dispositions of criminal cases in FY 1980 also rose by over 20% in each of the counties with a statewide increase of 23.7%, which compared with the 15.6% statewide increase in FY 1979. Despite the increase in dispositions, the large number of filings led to a 33.1% increase in criminal cases pending during the year. There was an increase in the number of civil case filings, also, with the state showing an increase of 8.8%. This is a change from the 22.6% increase in FY 1979 when all counties showed an increase of more than 20% in civil case filings for the state in FY 1979. It should be noted that civil cases filed have become more complicated and there has been a tremendous increase in the use of motion practice and discovery procedures. While this delays disposition in a number of cases, it is felt that the disposal of more complicated cases better serves the whole judicial system in the general movement of civil cases. Despite this, the number of civil cases disposed of in FY 1980 rose by 23.7%, which was a major reason why there was only a slight increase in civil cases pending at year's end.

COURT OF COMMON PLEAS

Chief Judge
Hon. Robert H. Wahl (D,10/6/83)
Beulah O. Goldsborough, Secretary
(571-2412)

New Castle County Resident Judges
Hon. Arthur F. DiSabatino (R, 10/6/83)
Margaret Renai, Secretary
(571-2411)
Hon. William C. Bradley, Jr. (D, 9/29/88)
Peggy Papili, Secretary
(571-2410)

Kent County Resident Judge
Hon. Merrill C. Trader (R, 9/12/84)
Mary Elyn Massey, Secretary
(736-4617)

Sussex County Resident Judge
Hon. Paul E. Ellis (D, 4/18/85)
Katherine Truitt, Secretary
(856-5333)

COURT OF COMMON PLEAS

SUPPORT PERSONNEL

Court Administrator
Carole B. Kirshner
Sharon Berkowitz, Secretary
(571-2804)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Clerks		
Timothy Donovan, Jr.	Ruth Biddle	Doris Wilkins
(571-2430)	(736-4618)	(856-5333)
Deputy Clerks		
Angeline M. Pineault	Anna Benton	Jean Henry
Assistant Clerks		
Phyllis Feingold	Frances Bergold	
Elizabeth Jonkiert		
Account Supervisor		
Catherine Wharton		
Collections Officer		
Louis Slutsky		
Court Reporters		
Carol Schatzman	Shelia Dougherty	Raymond Kenney
Cheryl Simmons		Vera Elliott, Typist Transcriber
Jacalyn Anstey		
C. Marie Fontello, Typist Transcriber		
(571-2863)		
Presentence Officers		Alcohol Coordinating Counselor
John Jaremchuk, Jr.		Dallas Fleetwood
Carolyn Short		
Renee Coddington		
Alan Haase		
Diane Korolog, Secretary		
(571-3834)		

COURT OF COMMON PLEAS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Clerk Typists		
Karen Gallagher	Teresa Lindale	Joyce Betts
Mary Pasquale		
Cynthia Reinholz		
Catherine Booth		
E. Darlene Ashley		
Joan Chalmers		
Deborah Mowbray		
Philip Saxon, Jr.		
Bailiffs		
Richard Hurst	David Reid	Donald Beebe
Robert McGee, III	Mary McFaul	R. Burton Hicks
William Arterbridge		
Dominick Pilli		
Allan Rogers		
Vacant		

ADDRESSES

Court of Common Pleas
Public Building
1020 King Street
Wilmington, Delaware 19801

Court of Common Pleas
Kent County Courthouse
38 The Green
Dover, Delaware 19901

Court of Common Pleas
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947

COURT OF COMMON PLEAS

FISCAL YEAR 1980
CRIMINAL CASES*
WORKLOAD

	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle	811	6,184	5,988	1,007	+196
Kent	109	1,438	1,362	185	+ 76
Sussex	227	1,907	1,799	335	+108
State	1,147	9,529	9,149	1,527	+380

COMPARISON - FISCAL YEARS 1979-1980
CRIMINAL CASES*
WORKLOAD

FILINGS

	1979	1980	Change	% Change
New Castle	4,821	6,184	+1,363	+28.3%
Kent	1,102	1,438	+ 336	+30.5%
Sussex	1,488	1,907	+ 419	+28.2%
State	7,411	9,529	+2,118	+28.6%

DISPOSITIONS

	1979	1980	Change	% Change
New Castle	4,818	5,988	+1,170	+24.3%
Kent	1,086	1,362	+ 276	+25.4%
Sussex	1,490	1,799	+ 309	+20.7%
State	7,394	9,149	+1,755	+23.7%

PENDING AT END OF YEAR

	1979	1980	Change	% Change
New Castle	811	1,007	+ 196	+24.2%
Kent	109	185	+ 76	+69.7%
Sussex	227	335	+ 108	+47.6%
State	1,147	1,527	+ 380	+33.1%

*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS
FISCAL YEAR 1980
CRIMINAL CASES*
WORKLOAD

FILINGS

	Original Filings**		Optional Transfers#		Mandatory Transfers##		Reduced From Felony to Misdemeanor¶		TOTALS		Preliminary Hearings
New Castle	540	8.7%	4,381	70.8%	1,145	18.5%	118	1.9%	6,184	100.0%	3,085
Kent	74	5.1%	1,097	76.3%	236	16.4%	31	2.2%	1,438	100.0%	976
Sussex	21	1.1%	1,342	70.4%	421	22.1%	123	6.4%	1,907	100.0%	992
State	635	6.7%	6,820	71.6%	1,802	18.9%	272	2.9%	9,529	100.0%	5,053

DISPOSITIONS

	Jury		Non-Jury		TOTALS	
New Castle	0	0.0%	5,988	100.0%	5,988	100.0%
Kent	47	3.5%	1,315	96.5%	1,362	100.0%
Sussex	7	0.4%	1,792	99.6%	1,799	100.0%
State	54	0.6%	9,095	99.4%	9,149	100.0%

PENDING AT END OF YEAR

	Capiases		Triable		TOTALS	
New Castle	470	46.7%	537	53.3%	1,007	100.0%
Kent	39	21.1%	146	78.9%	185	100.0%
Sussex	66	19.7%	269	80.3%	335	100.0%
State	575	37.7%	952	62.3%	1,527	100.0%

CHANGES IN PENDING

	Capiases	Triable	TOTALS
New Castle	-34	+230	+196
Kent	+ 8	+ 68	+ 76
Sussex	+26	+ 82	+108
State	0	+380	+380

*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

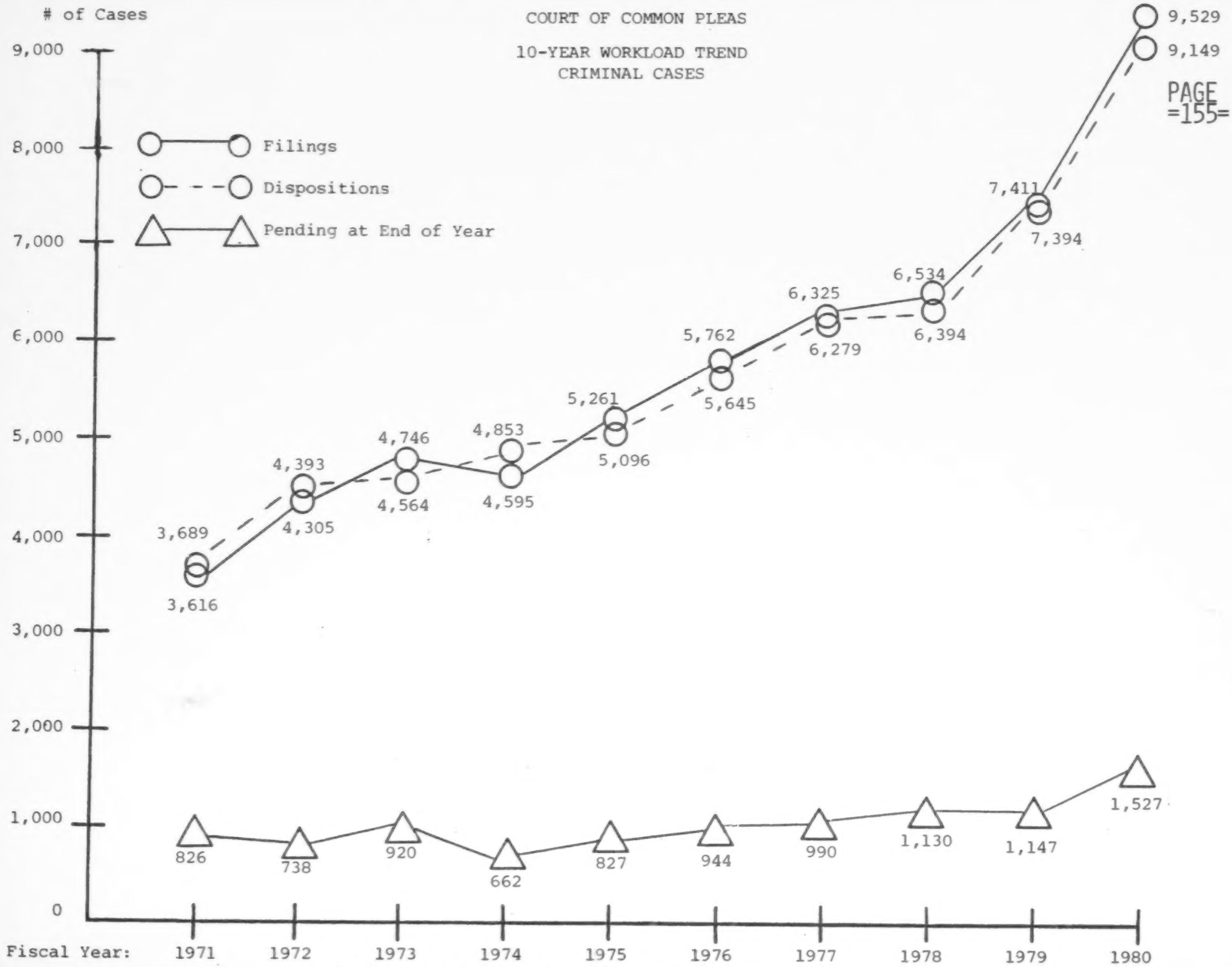
**Matters filed initially in the Court of Common Pleas.

#Cases originally filed in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

##Matters originally filed with Justices of the Peace which by statute must be transferred to the Court of Common Pleas.

¶Felony charges brought before the Court of Common Pleas for preliminary hearing which are reduced to misdemeanors and plead guilty to.

Source: Court Administrator, Court of Common Pleas



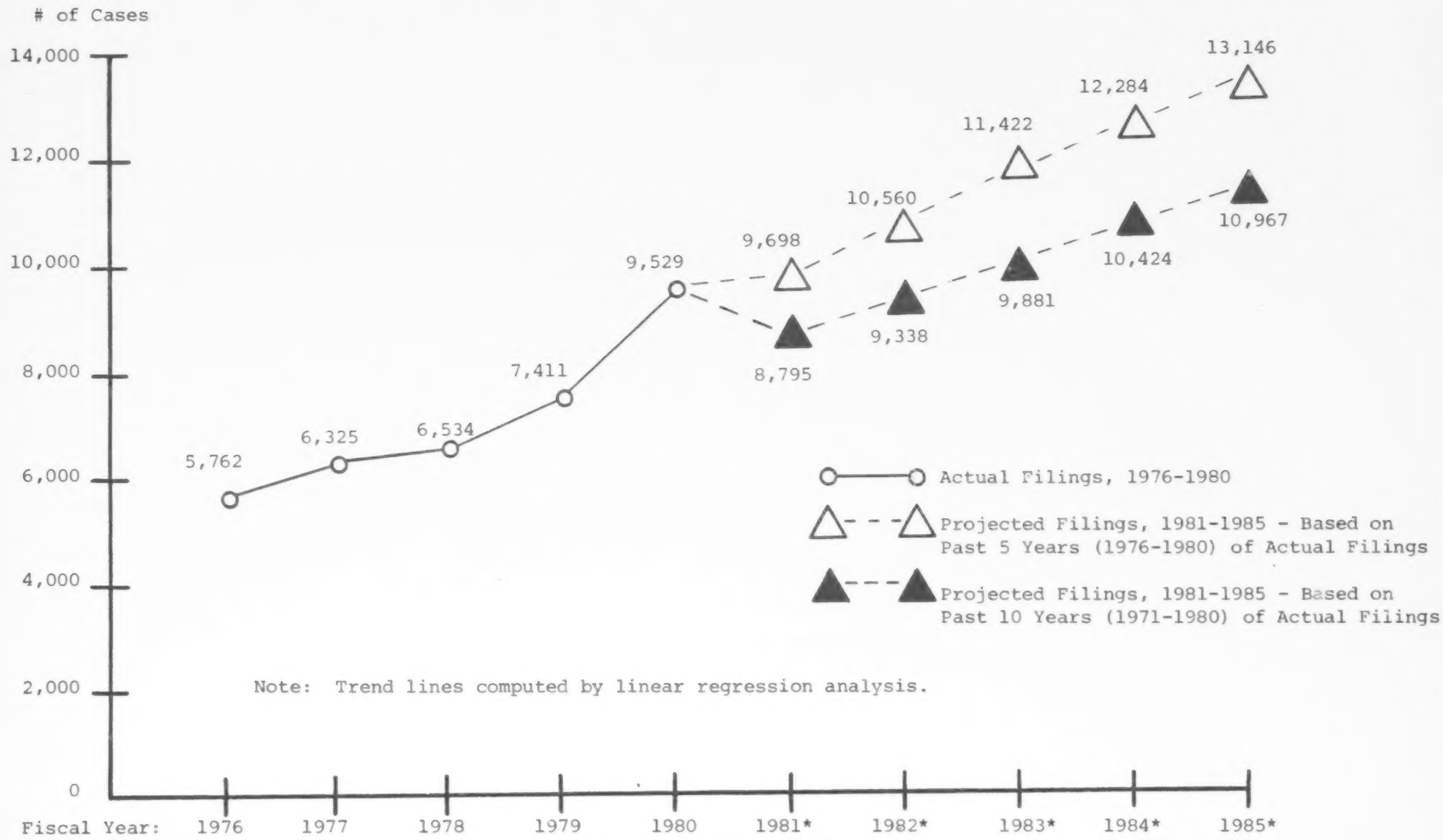
COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND
CRIMINAL CASES

Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES



Note: Trend lines computed by linear regression analysis.

*Projected

Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1980
PRESENTENCE OFFICE
WORKLOAD

	Pending* 6-30-79	Investigations Ordered	Investigations** Completed	Pending* 6-30-80	Change In Pending
New Castle	40¶	386	347	79	+39
Kent	1	16	10	7	+ 6
Sussex	7¶	52	49	10	+ 3
State	48¶	454	406	96	+48

COMPARISON - FISCAL YEARS 1979-1980
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1979	1980	Change	% Change
New Castle	292	386	+ 94	+ 32.2%
Kent	20	16	- 4	- 20.0%
Sussex	24	52	+ 28	+116.7%
State	336	454	+118	+ 35.1%

INVESTIGATIONS COMPLETED**

	1979	1980	Change	% Change
New Castle	270	347	+ 77	+ 28.5%
Kent	24	10	- 14	- 58.3%
Sussex	20	49	+ 29	+145.0%
State	314	406	+ 92	+ 29.3%

INVESTIGATIONS PENDING AT END OF YEAR*

	1979	1980	Change	% Change
New Castle	40¶	79	+39	+ 97.5%
Kent	1	7	+ 6	+600.0%
Sussex	7¶	10	+ 3	+ 42.9%
State	48¶	96	+48	+100.0%

Note: Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.

*A case is pending when the investigation has been ordered but has not been completed.

**In New Castle County and Sussex County, an investigation is completed once it has been written and typed. In Kent County, an investigation is completed once it is written.

¶Adjusted from 1979 Annual Report.

Source: Court Administrator, Court of Common Pleas and Administrative Office of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1980
PRESENTENCE OFFICE

NEW CASTLE

Month	# of Defendants Sentenced After Presentence Investigation	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
July 1979	34	26.7 days	0.8 days	27.5 days	6.8 days	34.3 days
August 1979	14	29.4	0.8	30.2	4.7	34.9
September 1979	39	40.6	0.7	41.3	4.3	45.6
October 1979	33	45.7	0.5	46.2	3.0	49.2
November 1979	27	51.9	0.5	52.4	3.0	55.4
December 1979	26	46.7	0.5	47.2	3.4	50.6
January 1980	33	53.7	0.5	54.2	2.9	57.1
February 1980	25	43.8	0.5	44.3	2.7	47.1
March 1980	30	39.8	0.5	40.3	3.1	43.5
April 1980	31	38.1	0.5	38.6	2.9	41.5
May 1980	32	38.2	0.5	38.7	2.8	41.5
June 1980	30	38.9	0.5	39.4	2.3	41.7
TOTALS	354	41.1 days	0.6 days	41.7 days	3.5 days	45.2 days

KENT - SUSSEX - STATE

Month	# of Defendants Sentenced After Presentence Investigation	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced

------------------------------NOT AVAILABLE--

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1980
PRESENTENCE OFFICE
PRODUCTIVITY

NEW CASTLE

	INVESTIGATIONS			TYPING		
Month	# of Investigations Written	# of Investigators Available	Average # Completed Per Investigator	# of Investigations Typed	# of Typists Available	Average # Typed Per Typist
July 1979	27	3	9.0	29	1	29.0
August 1979	24	3	8.0	24	1	24.0
September 1979	30	3	10.0	30	1	30.0
October 1979	30	3	10.0	30	1	30.0
November 1979	28	3	9.3	28	1	28.0
December 1979	26	3	8.7	26	1	26.0
January 1980	32	3	10.7	32	1	32.0
February 1980	30	3	10.0	30	1	30.0
March 1980	27	3	9.0	27	1	27.0
April 1980	29	3	9.7	29	1	29.0
May 1980	32	3	10.7	32	1	32.0
June 1980	30	3	10.0	30	1	30.0
TOTALS	345	3	9.6/Month 115.0/Year	347	1	28.9/Month 347.0/Year

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1980
CIVIL CASES
WORKLOAD

	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle	1,677	2,989	2,968	1,698	+21
Kent	192	476	439	229	+37
Sussex	218	604	597	225	+ 7
State	2,087	4,069	4,004	2,152	+65

COMPARISON - FISCAL YEARS 1979-1980
CIVIL CASES
WORKLOAD

FILINGS

	1979	1980	Change	% Change
New Castle	2,793	2,989	+196	+ 7.0%
Kent	390	476	+ 86	+22.1%
Sussex	556	604	+ 48	+ 8.6%
State	3,739	4,069	+330	+ 8.8%

DISPOSITIONS

	1979	1980	Change	% Change
New Castle	2,386	2,968	+582	+24.4%
Kent	328	439	+111	+33.8%
Sussex	524	597	+ 73	+13.9%
State	3,238	4,004	+766	+23.7%

PENDING AT END OF YEAR

	1979	1980	Change	% Change
New Castle	1,677	1,698	+ 21	+ 1.3%
Kent	192	229	+ 37	+19.3%
Sussex	218	225	+ 7	+ 3.2%
State	2,087	2,152	+ 65	+ 3.1%

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1980
CIVIL CASES
WORKLOAD

FILINGS

	Complaints*		Miscellaneous**		TOTALS	
New Castle	2,776	92.9%	213	7.1%	2,989	100.0%
Kent	451	94.7%	25	5.3%	476	100.0%
Sussex	589	97.5%	15	2.5%	604	100.0%
State	3,816	93.8%	253	6.2%	4,069	100.0%

DISPOSITIONS

	By Court		By Counsel		TOTALS	
New Castle	866	29.2%	2,102	70.8%	2,968	100.0%
Kent	65	14.8%	374	85.2%	439	100.0%
Sussex	104	17.4%	493	82.6%	597	100.0%
State	1,035	25.8%	2,969	74.2%	4,004	100.0%

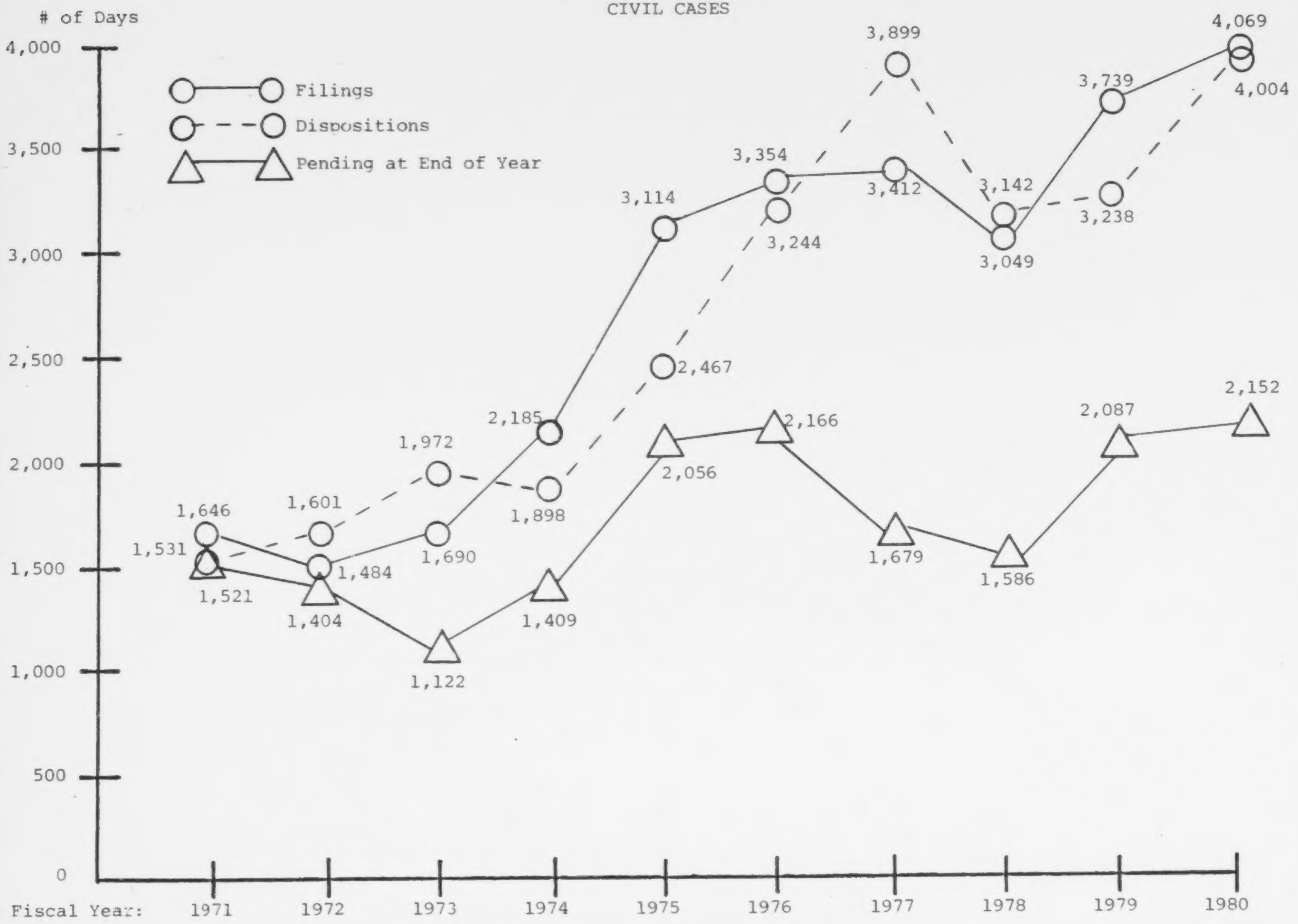
*The Complaints category includes Complaints for Damages (including those involving automobiles), Replevins, Foreign Attachments, and Domestic Attachments.

**The Miscellaneous category includes Civil Judgments and Petitions for Name Change.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

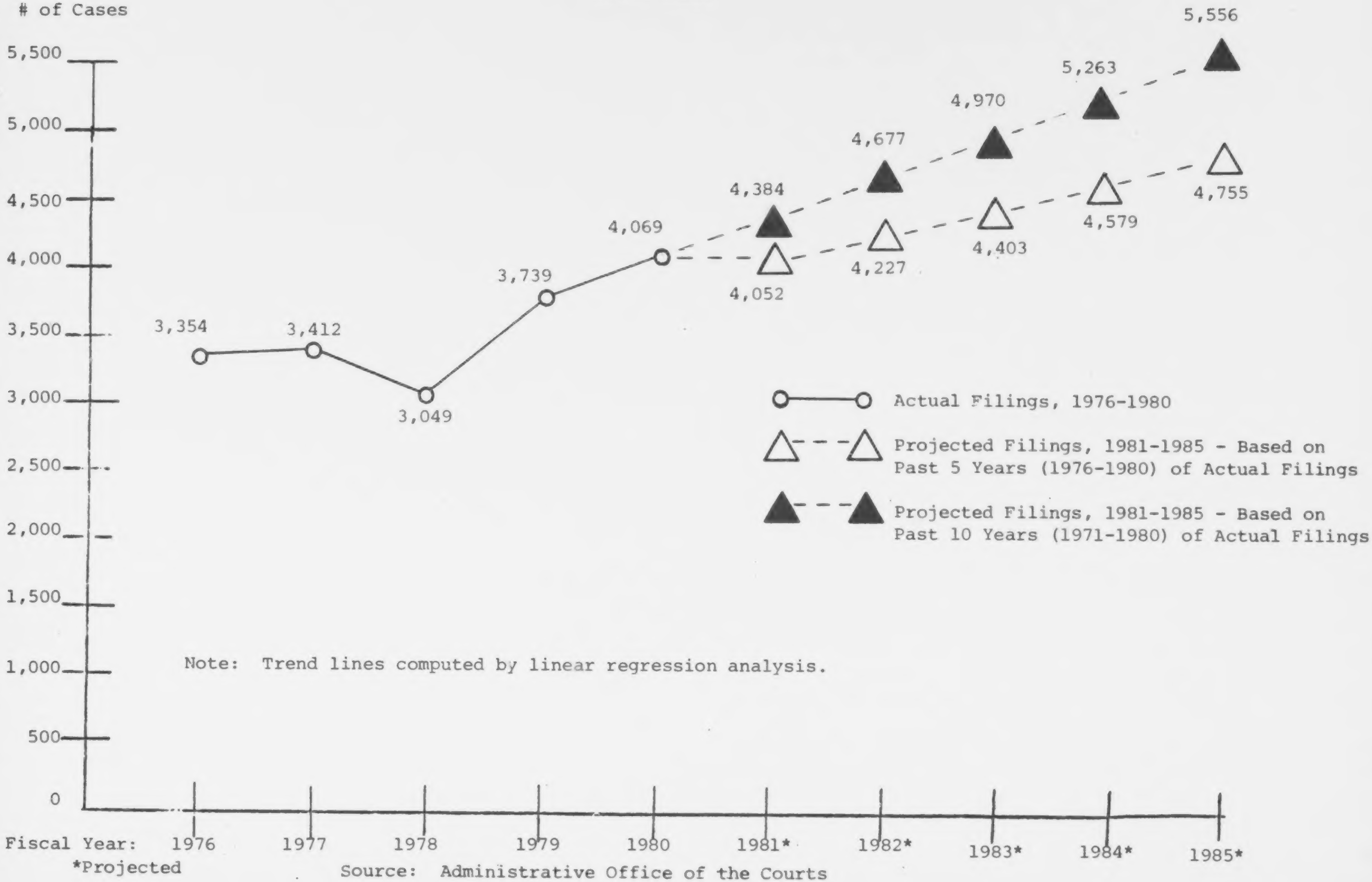
10-YEAR WORKLOAD TREND
CIVIL CASES



Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Note: Trend lines computed by linear regression analysis.

*Projected

Source: Administrative Office of the Courts

Municipal Court

MUNICIPAL COURT

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Section 1701.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justices of the Peace and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The court has a Violations Division which processes all moving and parking citations.

Judges

Number - There are 3 Judges of the Municipal Court of Wilmington, with not more than 2 of the Judges to be a member of the same political party.
Appointment - The Judges are appointed by the Governor, with the approval by the Senate.
Tenure - Judges are appointed for 12-year terms.
Qualifications - The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

There were 8,559 criminal cases filed in the Municipal Court during FY 1980, which was less than the 9,154 criminal filings from FY 1979. The decrease of 595 in criminal filings represented a percentage change of -6.5%. Similarly, the 8,422 criminal dispositions in FY 1980 was a decrease of 601 dispositions from the 9,023 criminal dispositions in FY 1979. This represented a decrease of 6.7% in criminal dispositions from FY 1979 to FY 1980. The 8,559 criminal filings and the 8,422 criminal dispositions in FY 1980 were the lowest totals in any fiscal year since FY 1974 for either category.

During FY 1980 there were 14,785 traffic filings, far less than the 17,199 traffic filings in FY 1979. The decrease of 2,414 filings represented a decrease of 14.0% in traffic filings between FY 1979 and FY 1980. There was an even greater decrease of 3,098 traffic dispositions, dropping from 17,591 in FY 1979 to 14,493 in FY 1980. This was a decrease of 17.6% from the previous fiscal year.

Despite the decrease in total filings in FY 1980, the even greater decrease in total dispositions in FY 1980 led to an overall increase in pending cases at the end of the fiscal year. Criminal pending rose over 25% while the traffic pending rose over 35%, with the increase in total pending being a 31.3% rise from 1,371 at the start of the fiscal year to 1,800 at the end of the fiscal year.

MUNICIPAL COURT
Public Building
1000 King Street
Wilmington, Delaware 19801
(571-4530)

JUDICIARY

Chief Judge
Hon. Alfred R. Fraczkowski (R, 9/11/81)
Karen A. Jones, Executive Secretary
(571-4550)

Associate Judge
Hon. Carl G. Goldstein (R, 7/1/82)
Joyce Vietri, Secretary
(571-4551)

Associate Judge
Hon. Leonard L. Williams (D, 6/4/78)
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners
Charles R. Lee, Chief
(571-4534)
T. Roger Barton
(571-4540)
Richard O. Douglas
(571-4546)
Furio R. Casale
(571-4542)
Lawrence L. Fitchett
(571-4541)
Carolyn Carrols, Secretary
(571-4534)

Case Coordinator
Kathy Holstein

Warrant Expediter
Lawrence Kozicki

Law Clerks
Raymond Nadel
James Jarvis
Helene Paterra

Process Server
Elizabeth Henderson

Bailiffs
David Dempsey
Gerald Nolan
Cornelius Morris
William Santiago

Criminal Clerical Staff
Debra Flowers
Josephine Smulski
Robin Henderson
Patricia M. O'Connor
Sophia Pulliam
Mary E. Devine
Nina McGonegal

Traffic Violation Staff
Shirley Cohen, Supervisor
Carolyn Sylvester
Ann Collins
Carol Senghaas

MUNICIPAL COURT

FISCAL YEAR 1980
WORKLOAD*

	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
Criminal	538	8,559	8,422	675	+137
Traffic	833	14,785	14,493	1,125	+292
TOTAL	1,371	23,344	22,915	1,800	+492

COMPARISON - FISCAL YEARS 1979-1980
WORKLOAD*

FILINGS

	1979	1980	Change	% Change
Criminal	9,154	8,559	- 595	- 6.5%
Traffic	17,199	14,785	-2,414	-14.0%
TOTAL	26,353	23,344	-3,009	-11.4%

DISPOSITIONS

	1979	1980	Change	% Change
Criminal	9,023	8,422	- 601	- 6.7%
Traffic	17,591	14,493	-3,098	-17.6%
TOTAL	26,614	22,915	-3,699	-13.9%

PENDING AT END OF YEAR

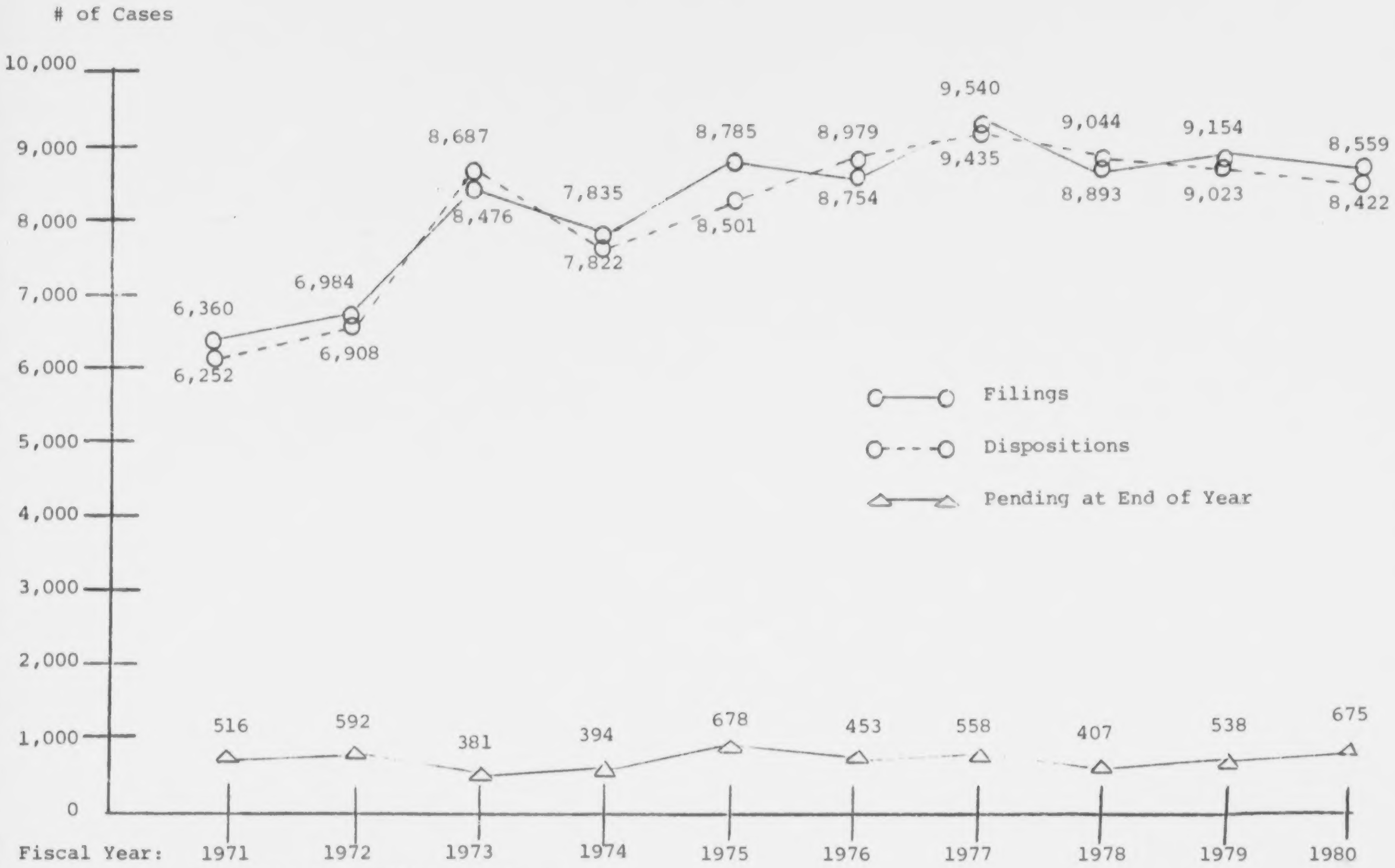
	1979	1980	Change	% Change
Criminal	538	675	+ 137	+25.5%
Traffic	833	1,125	+ 292	+35.1%
TOTAL	1,371	1,800	+ 429	+31.3%

*The unit of count for traffic and criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Chief Clerk, Municipal Court

MUNICIPAL COURT

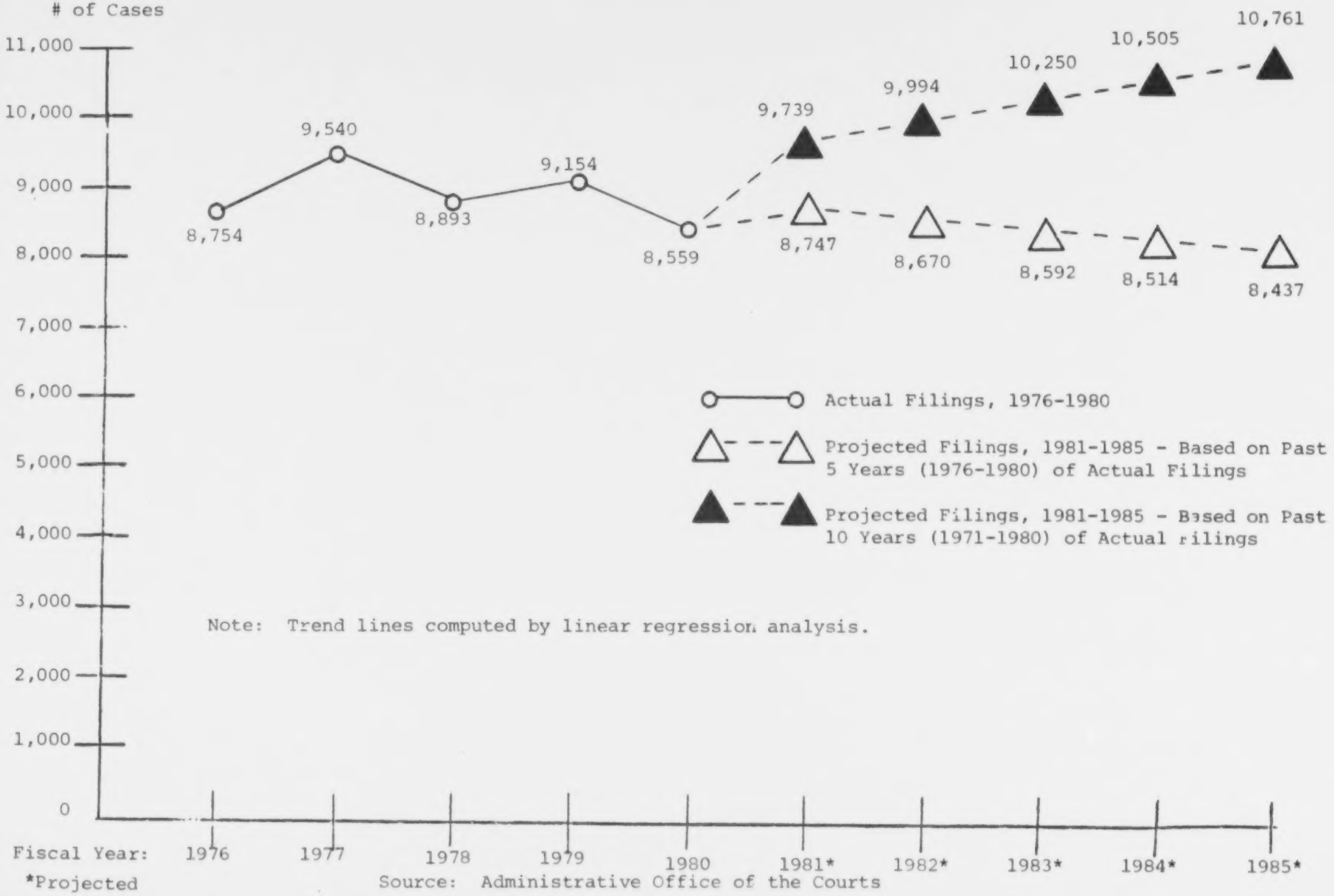
10-YEAR WORKLOAD TREND
CRIMINAL CASES



Source: Administrative Office of the Courts

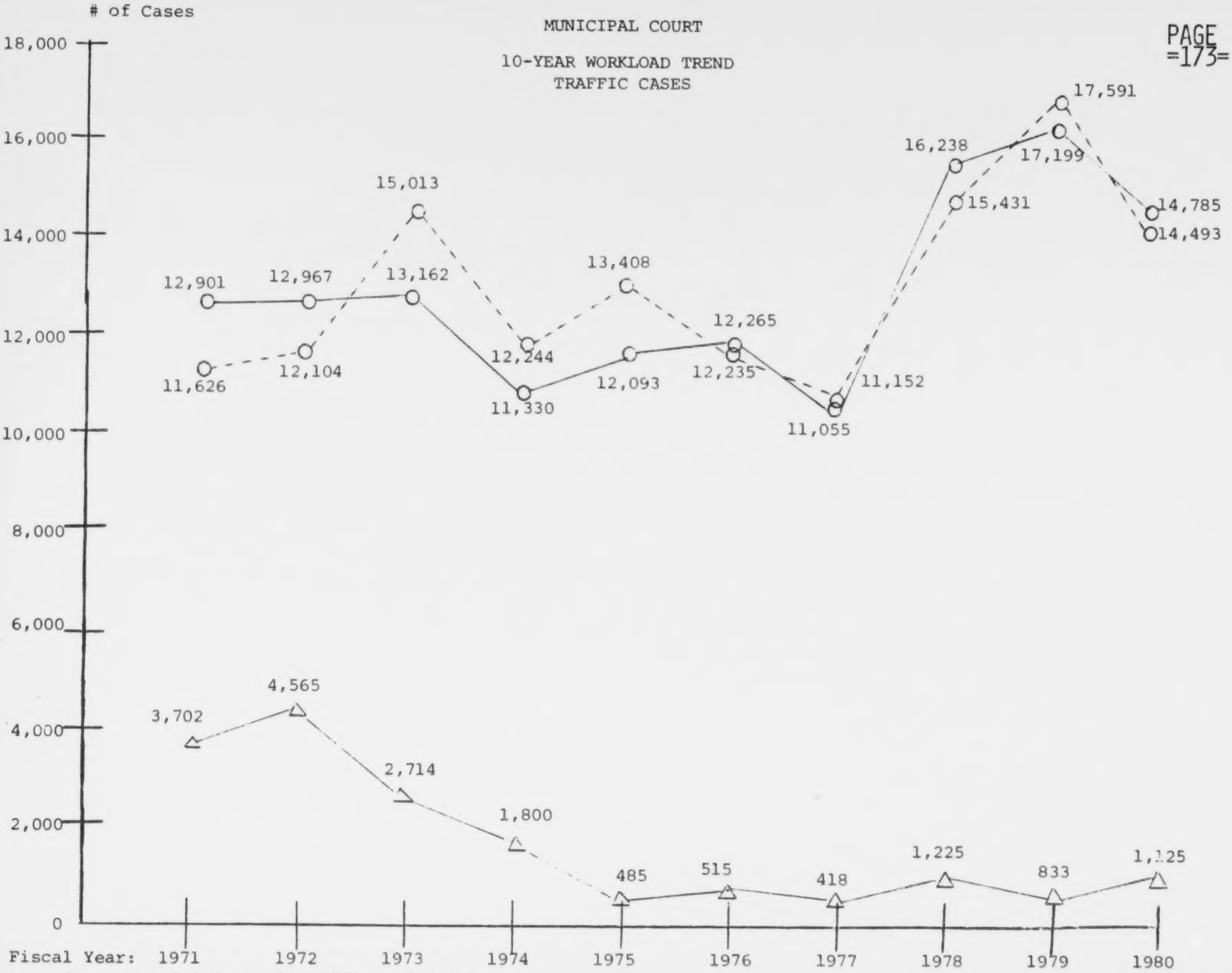
MUNICIPAL COURT

5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES



Note: Trend lines computed by linear regression analysis.

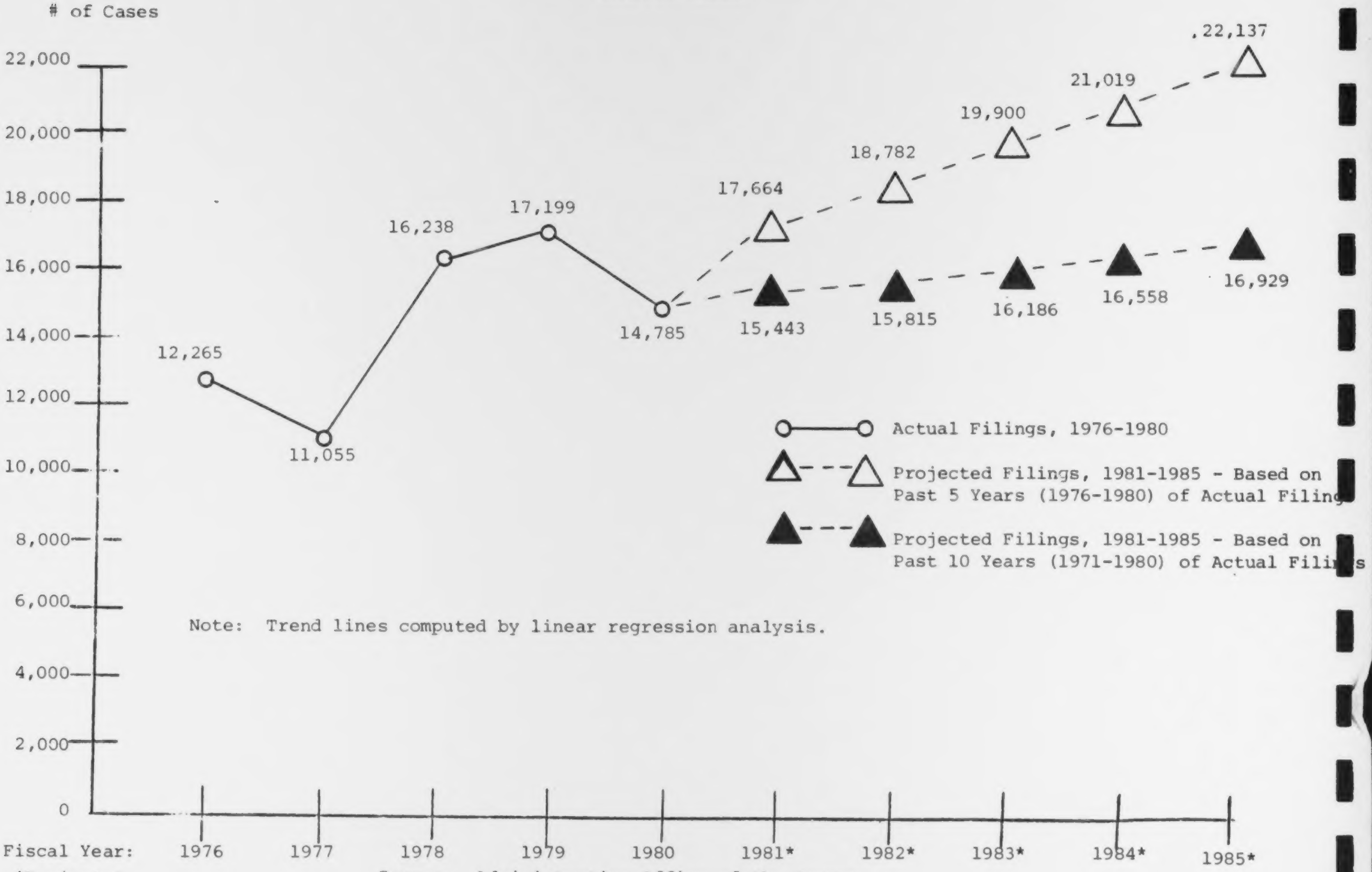
Source: Administrative Office of the Courts



Source: Administrative Office of the Courts

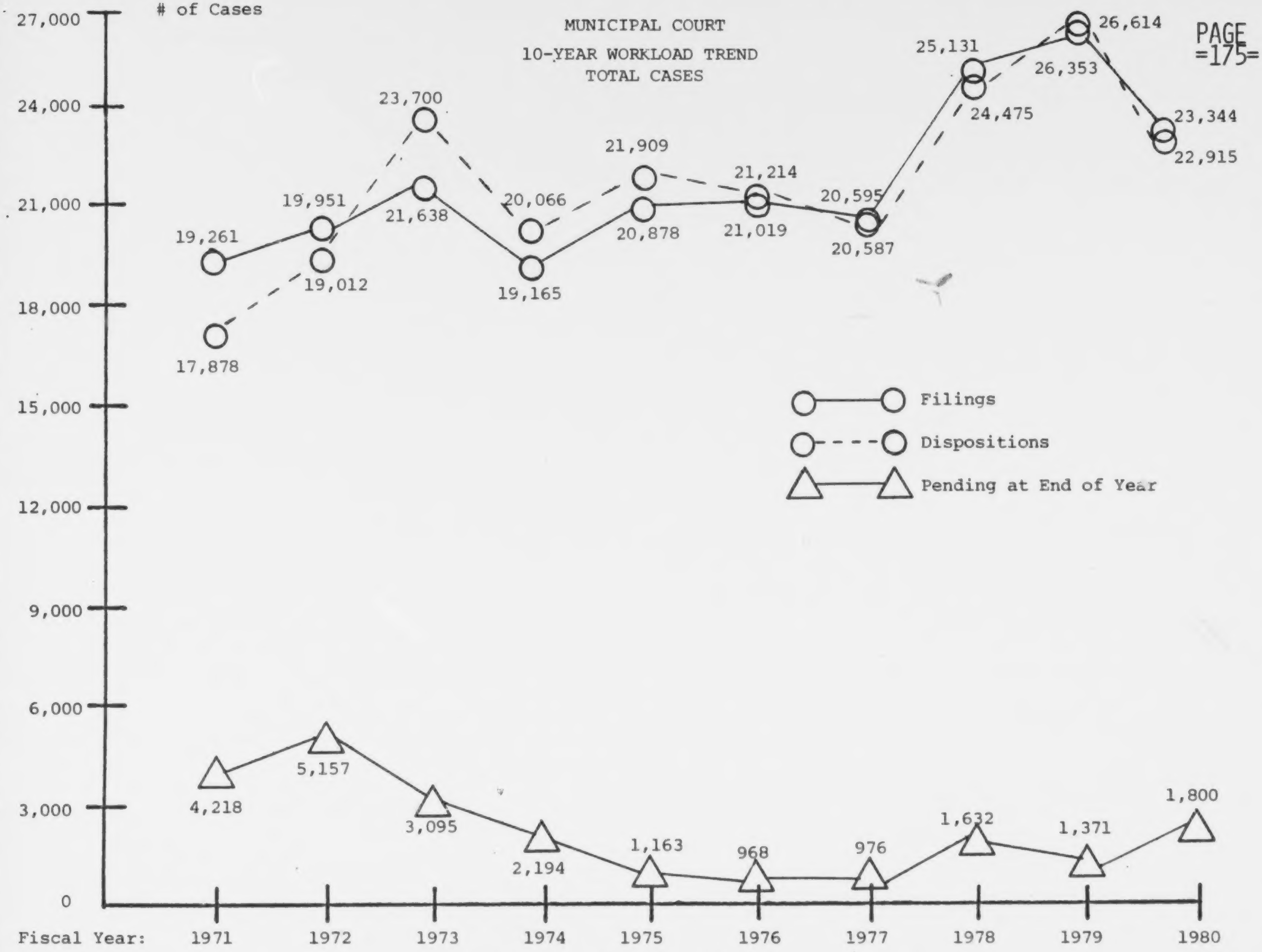
MUNICIPAL COURT

5-YEAR WORKLOAD PROJECTIONS TRAFFIC CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

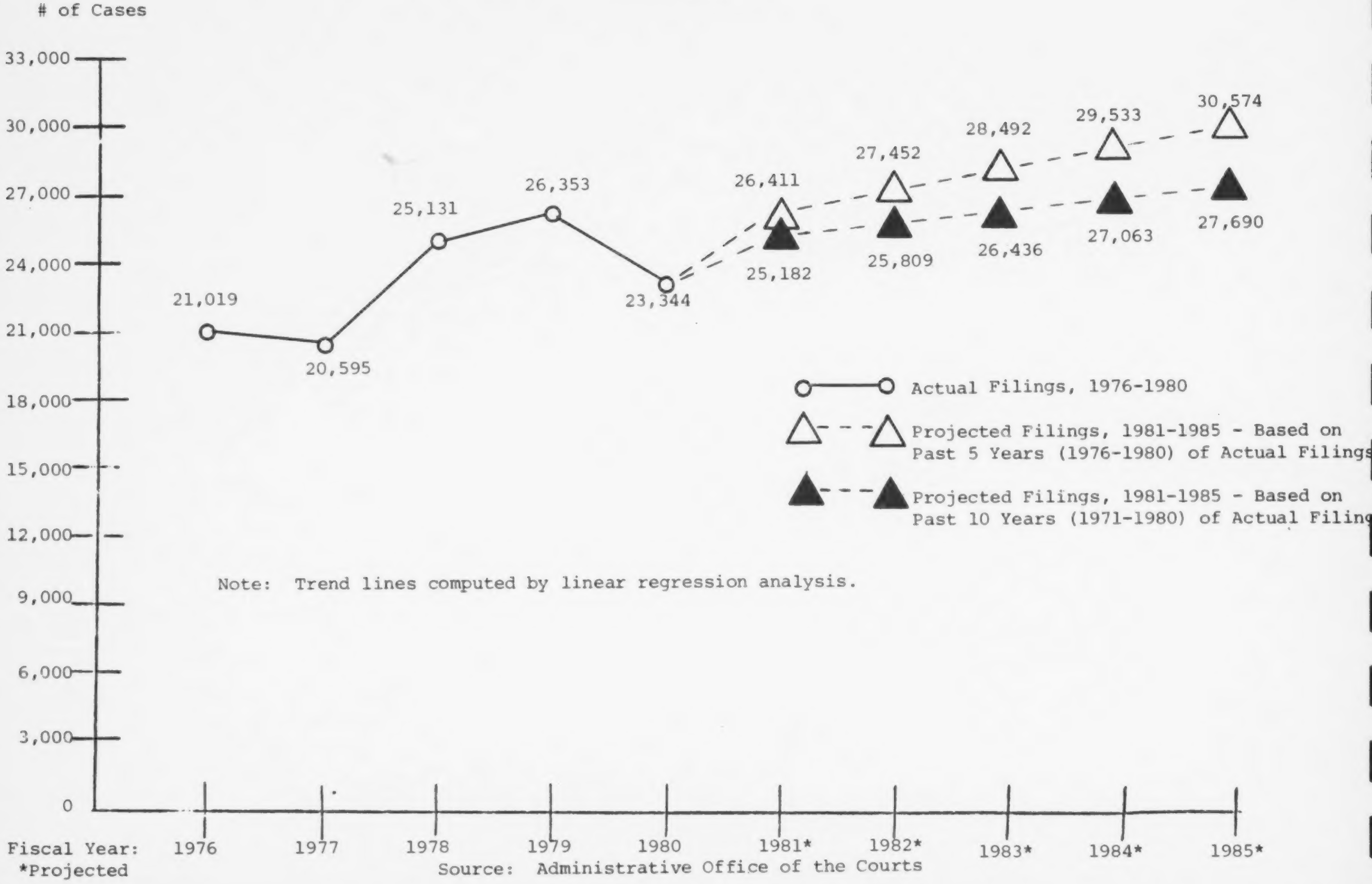


MUNICIPAL COURT
10-YEAR WORKLOAD TREND
TOTAL CASES

Source: Administrative Office of the Courts

MUNICIPAL COURT

5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

Legal Authorization

The Justice of the Peace Courts are authorized by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the state. 18 Courts are currently operating: 8 in New Castle County, 4 in Kent County, and 6 in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed $1,500. JP Courts are authorized to hear minor misdemeanors and motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Since Justice of the Peace Courts are not courts of record, appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Justices of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace, 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor with Senate confirmation for four-year terms. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and the county in which he serves. In addition to the 53 Justices of the Peace, the Governor appoints a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator and a pair of administrative officers help the Chief Magistrate direct the JP Courts on a day-to-day basis. The state provides chief clerks, deputy clerks, constables, bailiffs, and presentence officers for the courts.

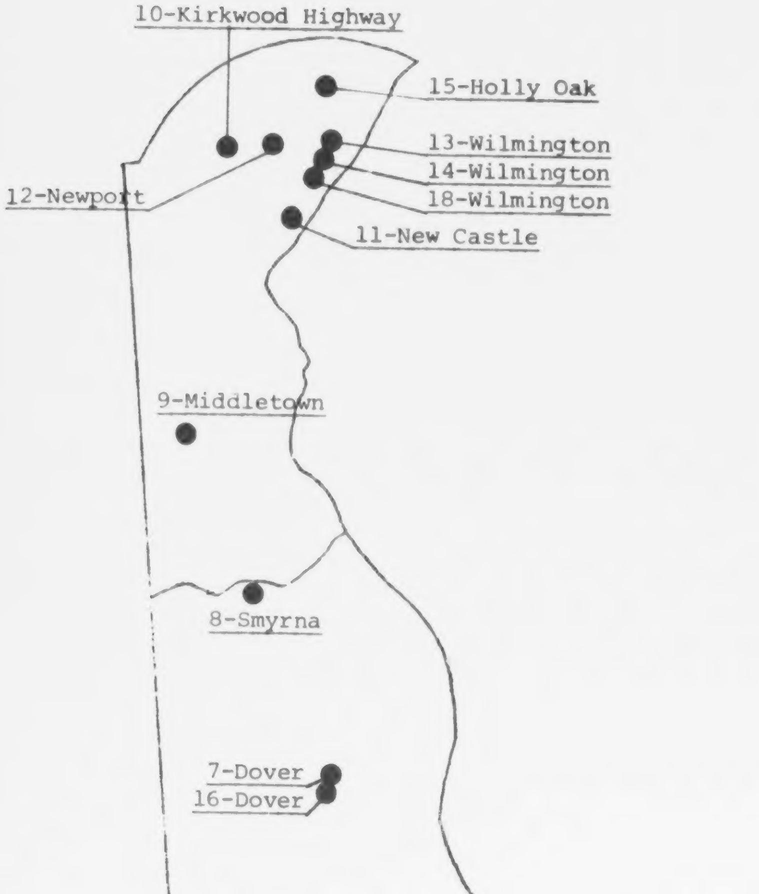
Caseload Trend

The total number of cases filed in the JP Courts during FY 1980 was 149,569, well above the total in FY 1979. The rise of almost 20,000 filings represented an increase of almost 20% and the nearly 150,000 filings was a new high for a single fiscal year in the JP Courts.

Criminal cases rose in FY 1980 to a new high of 130,541 filings, more than 20,000 more than the 109,311 criminal filings in FY 1979, an increase of 19.4%. Criminal dispositions rose to a new high of nearly 130,000 in FY 1980, due in large part to the rise in the number of mail-ins to more than 75,000.

Though the number of civil cases filed rosed by 15.6% in FY 1980 to 19,028 from the FY 1979 total of 16,459 civil filings, the number of civil cases pending decreased slightly during FY 1980 from 14,766 at the beginning of the fiscal year to 14,412 at the end of FY 1980. The reason for this was the sharp rise in civil dispositions from 15,384 in FY 1979 to 19,382 in FY 1980, a rise of 26.0%.

JUSTICE OF THE PEACE COURTS IN DELAWARE


10-Kirkwood Highway
15-Holly Oak
13-Wilmington
14-Wilmington
18-Wilmington
12-Newport
11-New Castle
9-Middletown
8-Smyrna
7-Dover
16-Dover
6-Harrington
5-Milford
2-Lewes
3-Georgetown
17-Georgetown
4-Seaford
1-Dagsboro

JUSTICE OF THE PEACE COURTS

Court	Location	Hours Open (As of 12/19/80)	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 9	Middletown	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 11	New Castle	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 12	Newport	M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington	M-F 8:30AM-4:30PM	40	Civil
Court 14	Wilmington	M-F 8:30AM-4:30PM	40	Criminal
Court 18	Wilmington	6PM-2AM, 7 Days Per Week	56	Criminal
Court 15	Holly Oak	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal
Kent County				
Court 6	Harrington	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal & Civil
Court 7	Dover	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 16	Dover	M, Tu, Th, F 8:30AM-4:30PM; W Noon-8PM	40	Civil
Court 8	Smyrna	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Sussex County				
Court 1	Dagsboro	M-F 9AM-5PM	40	Criminal & Civil
Court 2	Lewes (Winter)	M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
	(Summer)	Sun, M 8AM-4PM; Tu-Sat 8AM-Midnight	96	Criminal & Civil
Court 3	Georgetown	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 17	Georgetown	M-F 8AM-4PM	40	Civil
Court 4	Seaford	8AM-Midnight, 7 Days Per Week	112	Criminal & Civil
Court 5	Milford	M-F 8AM-4PM	40	Criminal & Civil

JUSTICE OF THE PEACE COURTS

JUDICIARY

Chief Magistrate

Hon. Norman A. Barron (6/20/84)
Pamela Manista, Clerk Stenographer

New Castle County

Deputy Chief Magistrate

Hon. Morris Levenberg (9/29/80)

New Castle County

Justices of the Peace

Hon. Andrew G. Ahern, Jr. (6/27/84)
Hon. William W. Brittingham (9/29/80)
Hon. Rebecca P. Button (9/29/80)
Hon. Ronald E. Cheeseman (5/22/84)
Hon. Mabel M. English (6/22/83)
Hon. Vicki Hagel (5/31/83)
Hon. Wayne R. Hanby (1/31/84)
Hon. Barbara C. Hughes (1/13/81)
Hon. Lorin Hunt (6/27/84)
Hon. Robert S. Jackson (5/10/83)
Hon. Virginia W. Johnson (6/30/82)
Hon. Vivian Kleinman (5/31/83)
Hon. Anna Lewis (5/10/83)
Hon. Ruth P. Malm (1/11/81)
Hon. John P. McLaughlin (5/22/84)
Hon. Michael E. McLaughlin (8/5/84)
Hon. Marc Niedzielski (6/1/84)
Hon. William S. Rowe, Jr. (6/27/84)
Hon. Rosalie Obara Sullivan (8/5/84)
Hon. Rosalind Toulson (7/2/83)
Hon. John H. Wilding (9/29/80)
Vacant
Vacant

Kent County

Deputy Chief Magistrate

Hon. Russell T. Rash (10/25/78)

Kent County

Justices of the Peace

Hon. Tyson A. Cohee (5/2/82)
Hon. John H. Fillmore (10/30/79)
Hon. John P. Greene (6/26/84)
Hon. Courtney P. Houston (5/2/82)
Hon. George W. Kershner, III (6/30/82)
Hon. Joseph A. Knussman (6/22/83)
Hon. Donna R. Kramer (1/5/81)
Hon. Paul Neeman (7/2/83)
Hon. Charles M. Stump (6/26/84)
Hon. Harry M. Thompson (5/2/82)
Hon. Wallace P. Wootten (5/9/78)

Sussex County

Deputy Chief Magistrates

Hon. William J. Hopkins, Jr. (3/19/78)
Hon. Thomas J. Orr (5/2/82)

Sussex County

Justices of the Peace

Hon. William A. Booth (5/2/82)
Hon. Emory B. Brittingham (5/2/82)
Hon. Edward G. Davis (7/2/83)
Hon. Jeffrey W. Hague (7/1/84)
Hon. Robert F. Hanby (6/5/84)
Hon. Henry F. Hill (6/5/84)
Hon. Aubrey T. Hudson (6/22/83)
Hon. Thomas W. Hutson, Jr. (6/27/83)
Hon. John H. McQuay (1/12/81)
Hon. Almetia J. Murray (5/2/82)
Hon. Horace W. Short (6/26/84)
Hon. Abigayle Truitt (7/2/83)
Hon. Emory R. West, Sr. (6/22/83)
Hon. Donald F. Yerkes (8/5/84)
Vacant

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

CHIEF MAGISTRATE'S OFFICE
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-2485)

Administrator
Arthur R. Carello
Ethel Jaremchuk, Secretary

Administrative Officers
Thomas W. Nagle
Mary E. Cooper
Christine Hojnicki, Clerk

Administrative Assistant
Sandra L. Cummings

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
COURT 9	COURT 6	COURT 1
18 South Broad Street	Post Office Box 3	Post Office Box 37
Kirkwood Highway	Route 13	Route 113
Middletown, DE 19709	Harrington, DE 19952	Dagsboro, DE 19939
(378-9533)	(398-8247)	(732-6772)
Chief Clerk	Chief Clerk	Chief Clerk
Agnes B. Thompson	Betty Pleasanton	Margaret Ross

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 10
3808 Kirkwood Highway
Wilmington, DE 19808
(571-2496)

Chief Clerk
Caroline F. Pini

COURT 11
1202 Delaware Street
New Castle, DE 19720
(571-2498)

Chief Clerk
Debbie Palmer

NEW CASTLE COUNTY CAPIAS CONTROL OFFICE
Delaware State Hospital
DuPont Highway
New Castle, DE 19720
(421-6433)

Capias Control Chief Clerk
Gaile M. Kerrigan

COURT 12
1500 East Newport Pike
Newport
Wilmington, DE 19804
(571-2561)

Chief Clerk
Patricia Rile

KENT COUNTY

COURT 7
Railroad and Loockerman Streets
Dover, DE 19901
(736-4554)

Chief Clerk
Marjorie Nolette

COURT 16
Railroad and Loockerman Streets
Dover, DE 19901
(736-4554)

Chief Clerk
Evelyn Webb

COURT 8
115 East North Street
Smyrna, DE 19977
(653-7083)

Chief Clerk
Deborah L. Robinson

SUSSEX COUNTY

COURT 2
Post Office Box 42
Route 1
Lewes, DE 19958
(645-6477)

Chief Clerk
Joanne R. Willey

COURT 3
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5448)

Chief Clerk
Barbara E. Adams

COURT 17
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5448)

Chief Clerk
Doris Smith

Court 4
Poplar and King Streets
Post Office Box 718
Seaford, DE 19973
(629-8101)

Chief Clerk
Mary Lee Lowe

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 13
11th Street Entrance
Public Building
Wilmington, DE 19801
(571-2550)

Chief Clerk
Claire Lucas

COURT 14
11th Street Entrance
Public Building
Wilmington, DE 19801
(571-2550)

Chief Clerk
Audrey R. Lord

COURT 18
11th Street Entrance
Public Building
Wilmington, DE 19801
(571-2550)

COURT 15
1810 Philadelphia Pike
Wilmington, DE 19803
(571-2493)

Chief Clerk
Geraldine McLaughlin

KENT COUNTY

SUSSEX COUNTY

COURT 5
Post Office Box 254
Causey and Maple Avenues
Milford, DE 19963
(422-8871)

Chief Clerk
Leah Betts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1980
CRIMINAL CASES*

Court	Pending 6/30/79	Filings	Dispositions	Pending 6/30/80	Change In Pending
Court 1	7	1,544	1,549	2	- 5
Court 2	16	13,425	13,362	79	+ 63
Court 3	136	14,766	14,784	118	- 18
Court 17**	0	0	0	0	0
Court 4	38	9,885	9,890	33	- 5
Court 5	12	923	909	26	+ 14
Court 6	2	5,370	5,368	4	+ 2
Court 7	152	21,272	21,191	233	+ 81
Court 16**	0	0	0	0	0
Court 8	10	3,326	3,308	28	+ 18
Court 9	4	5,319	5,302	21	+ 17
Court 10	372	19,679	19,473	578	+206
Court 11	468#	21,898	21,657	709	+241
Court 12**	0	0	0	0	0
Court 13**	0	0	0	0	0
Court 14##	0	0	0	0	0
Court 15	6	13,134	13,140	0	- 6
TOTALS	1,223#	130,541	129,933	1,831	+608

*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Civil court only.

#Adjusted from 1979 Annual Report.

##Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1980
CRIMINAL CASES*

FILINGS

Court	Title 7 Fish/Game	Title 11 Criminal	Title 21 Traffic	Other	TOTAL
Court 1	35	184	1,305	20	1,544
Court 2	159	687	12,426	153	13,425
Court 3	80	2,068	12,331	287	14,766
Court 17**	0	0	0	0	0
Court 4	81	1,470	8,201	133	9,885
Court 5	17	212	653	41	923
Court 6	16	670	4,589	95	5,370
Court 7	295	3,180	17,250	547	21,272
Court 16**	0	0	0	0	0
Court 8	77	254	2,890	105	3,326
Court 9	282	135	4,734	168	5,319
Court 10	734	4,380	13,730	835	19,679
Court 11	524	6,607	13,456	1,311	21,898
Court 12**	0	0	0	0	0
Court 13**	0	0	0	0	0
Court 14#	0	0	0	0	0
Court 15	146	719	12,269	0	13,134
TOTALS	2,446	20,566	103,834	3,695	130,541
Percentage of Total:	1.9%	15.8%	79.5%	2.8%	100.0%

*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Civil court only.

#Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the filings for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1980
CRIMINAL CASES*

DISPOSITIONS

Court	By Mail-In Fine		By Court Appearance		By Counsel Appearance		TOTALS	
Court 1	1,266	81.7%	283	18.3%	0	0.0%	1,549	100.0%
Court 2	10,340	77.4%	3,022	22.6%	0	0.0%	13,362	100.0%
Court 3	9,162	62.0%	5,622	38.0%	0	0.0%	14,784	100.0%
Court 17**	0		0		0		0	
Court 4	6,760	68.4%	3,130	31.6%	0	0.0%	9,890	100.0%
Court 5	353	38.8%	534	58.7%	22	2.4%	909	100.0%
Court 6	3,682	68.6%	1,580	29.4%	106	2.0%	5,368	100.0%
Court 7	13,269	62.6%	7,558	35.7%	364	1.7%	21,191	100.0%
Court 16**	0		0		0		0	
Court 8	2,289	69.2%	982	29.7%	37	1.1%	3,308	100.0%
Court 9	4,427	83.5%	622	11.7%	253	4.8%	5,302	100.0%
Court 10	7,749	39.8%	11,291	58.0%	433	2.2%	19,473	100.0%
Court 11	8,368	38.6%	13,228	61.1%	61	0.3%	21,657	100.0%
Court 12**	0		0		0		0	
Court 13**	0		0		0		0	
Court 14#	0		0		0		0	
Court 15	7,449	56.7%	5,691	43.3%	0	0.0%	13,140	100.0%
TOTALS	75,114	57.8%	53,543	41.2%	1,276	1.0%	129,933	100.0%

*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Civil court only.

#Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the dispositions for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1979-1980
CRIMINAL CASES*

FILINGS

Court	1979	1980	Change	% Change
Court 1	1,742	1,544	- 198	-11.4%
Court 2	12,313	13,425	+ 1,112	+ 9.0%
Court 3	13,532	14,766	+ 1,234	+ 9.1%
Court 17**	0	0	0	
Court 4	7,813	9,885	+ 2,072	+26.5%
Court 5	538	923	+ 385	+71.6%
Court 6	4,003	5,370	+ 1,367	+34.1%
Court 7	17,559	21,272	+ 3,713	+21.1%
Court 16**	0	0	0	
Court 8	2,007	3,326	+ 1,319	+65.7%
Court 9	4,047	5,319	+ 1,272	+31.4%
Court 10	18,949	19,679	+ 730	+ 3.9%
Court 11	16,891	21,898	+ 5,007	+29.6%
Court 12**	0	0	0	
Court 13**	0	0	0	
Court 14#	0	0	0	
Court 15	9,917	13,134	+ 3,217	+32.4%
TOTALS	109,311	130,541	+21,230	+19.4%

DISPOSITIONS

Court	1979	1980	Change	% Change
Court 1	1,740	1,549	- 191	-11.0%
Court 2	12,309	13,362	+ 1,053	+ 8.6%
Court 3	13,495	14,784	+ 1,289	+ 9.6%
Court 17**	0	0	0	
Court 4	7,814	9,890	+ 2,076	+26.6%
Court 5	533	909	+ 376	+70.5%
Court 6	4,008	5,368	+ 1,360	+33.9%
Court 7	17,546	21,191	+ 3,645	+20.8%
Court 16**	0	0	0	
Court 8	2,018	3,308	+ 1,290	+63.9%
Court 9	4,046	5,302	+ 1,256	+31.0%
Court 10	18,973	19,473	+ 500	+ 2.6%
Court 11	16,641##	21,657	+ 5,016	+30.1%
Court 12**	0	0	0	
Court 13**	0	0	0	
Court 14#	0	0	0	
Court 15	9,918	13,140	+ 3,222	+32.5%
TOTALS	109,041##	129,933	+20,892	+19.2%

*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Civil Court only.

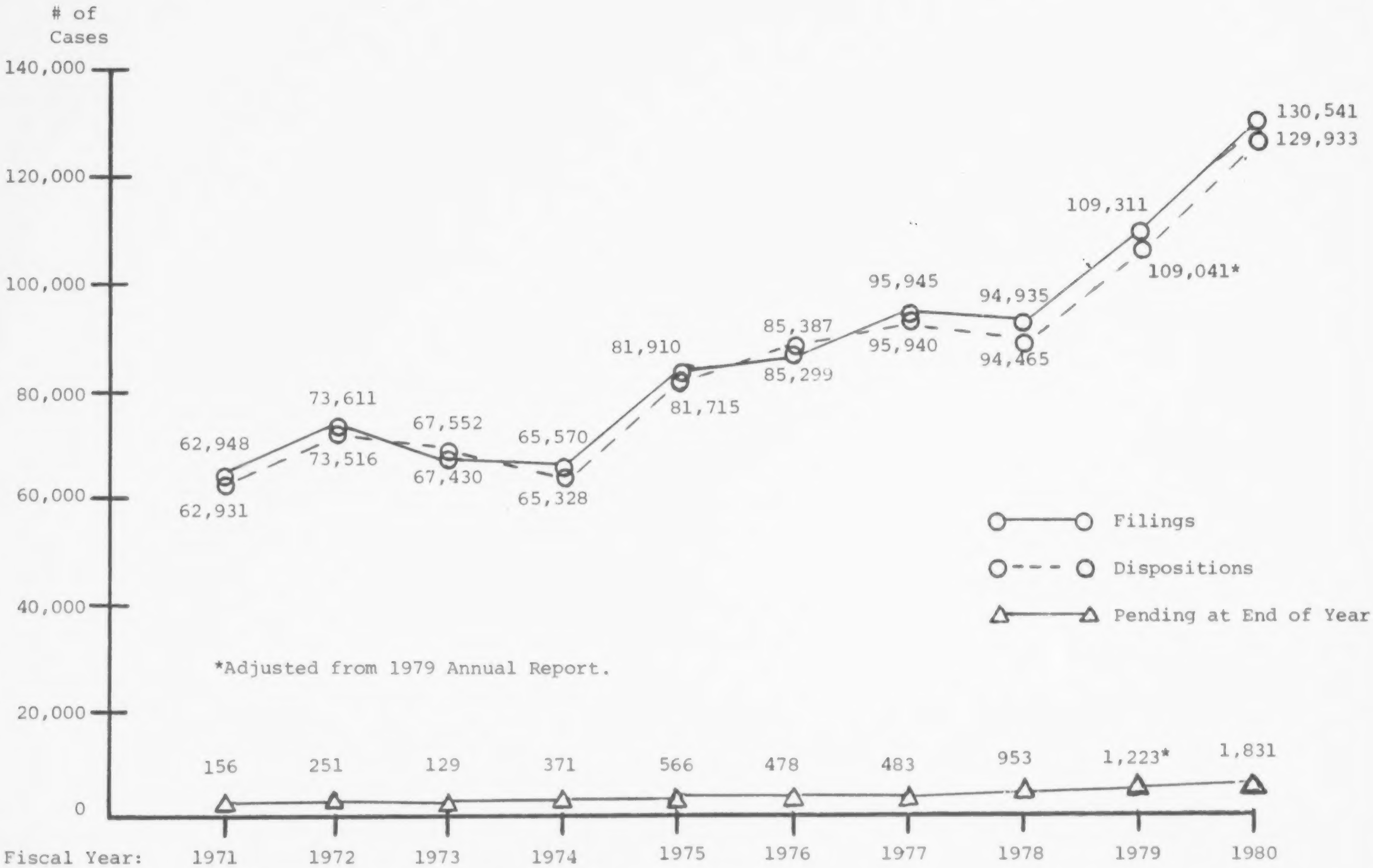
#Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the filings and dispositions for other courts.

##Adjusted from 1979 Annual Report.

Source: Chief Magistrate's Office, Justice of the Peace Courts

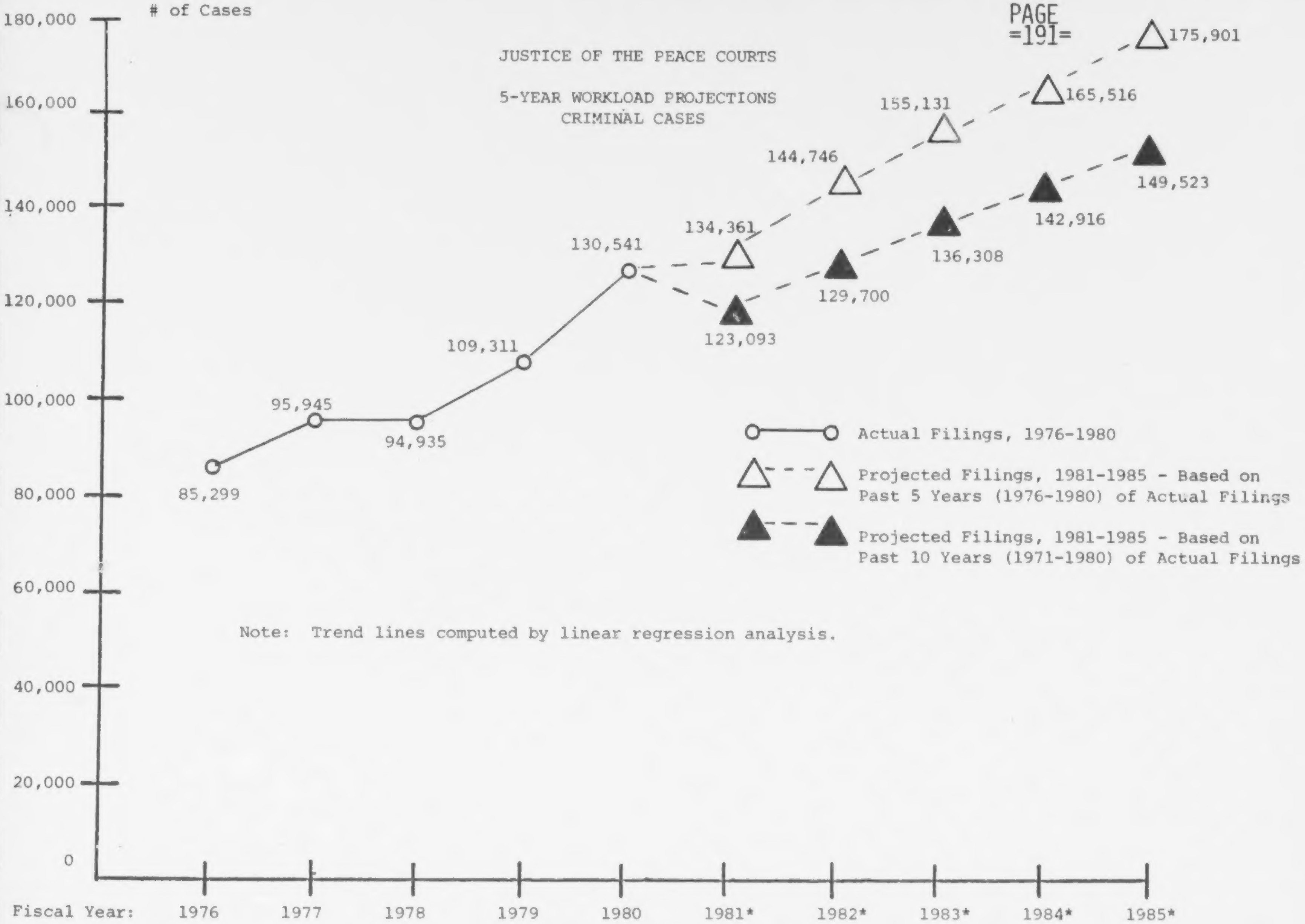
JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND
CRIMINAL CASES



*Adjusted from 1979 Annual Report.

Source: Administrative Office of the Courts



JUSTICE OF THE PEACE COURTS

5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES

Note: Trend lines computed by linear regression analysis.

*Projected

Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1980
CIVIL CASES

Court	Pending 6/30/79	Filings: Complaints	Filings: Landlord/ Tenant	Filings: Total	Dispositions: By Court	Dispositions: By Counsel	Dispositions: Total	Pending 6/30/80	Change In Pending
Court 1	30	273	22	295	286	6	292	33	+ 3
Court 2	435	399	46	445	317	0	317	563	+ 128
Court 3	186	610	13	623	626	0	626	0*	- 186
Court 17	0	523	33	556	567	3	570	169*	+ 169
Court 4	67	795	113	908	888	0	888	87	+ 20
Court 5	143	759	12	771	721	1	722	192	+ 49
Court 6	886	383	46	429	932	54	986	329	- 557
Court 7	1,028	438	150	588	451	7	458	0**	-1,028
Court 16	0	1,745	248	1,993	1,680	57	1,737	1,414**	+1,414
Court 8	99	418	76	494	400	77	477	116	+ 17
Court 9	26	234	711	945	735	194	929	42	+ 16
Court 10#	5,121	0	0	0	258	0	258	4,863	- 258
Court 11#	1,254	0	0	0	7	0	7	1,247	- 7
Court 12	694	3,153	2,479	5,632	3,481	1,833	5,314	1,012	+ 318
Court 13	4,793	4,057	1,292	5,349	4,657	1,140	5,797	4,345	- 448
Court 14#	0	0	0	0	0	0	0	0	0
Court 15#	4	0	0	0	4	0	4	0	- 4
TOTALS	14,766	13,787	5,241	19,028	16,010	3,372	19,382	14,412	- 354

*On 12/17/79, all 183 civil cases pending in Court 3 at that time were transferred to Court 17.

**On 10/1/79, all 1,158 civil cases pending in Court 7 at that time were transferred to Court 16.

#Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1979-1980
CIVIL CASES

FILINGS

Court	1979	1980	Change	% Change
Court 1	274	295	+ 21	+ 7.7%
Court 2	380	445	+ 65	+17.1%
Court 3*	959	623	- 336	-35.0%
Court 17**	Inactive	556	+ 556	-
Court 4	715	908	+ 193	+27.0%
Court 5	536	771	+ 235	+43.8%
Court 6	439	429	- 10	- 2.3%
Court 7#	1,956	588	-1,368	-69.9%
Court 16##	Inactive	1,993	+1,993	-
Court 8	373	494	+ 121	+32.4
Court 9	666	945	+ 279	+41.9%
Court 10¶	0	0	0	0.0%
Court 11¶	0	0	0	0.0%
Court 12	5,047	5,632	+ 585	+11.6%
Court 13	5,114	5,349	+ 235	+ 4.6%
Court 14¶	0	0	0	0.0%
Court 15¶	0	0	0	0.0%
TOTALS	16,459	19,028	+2,569	+15.6%

DISPOSITIONS

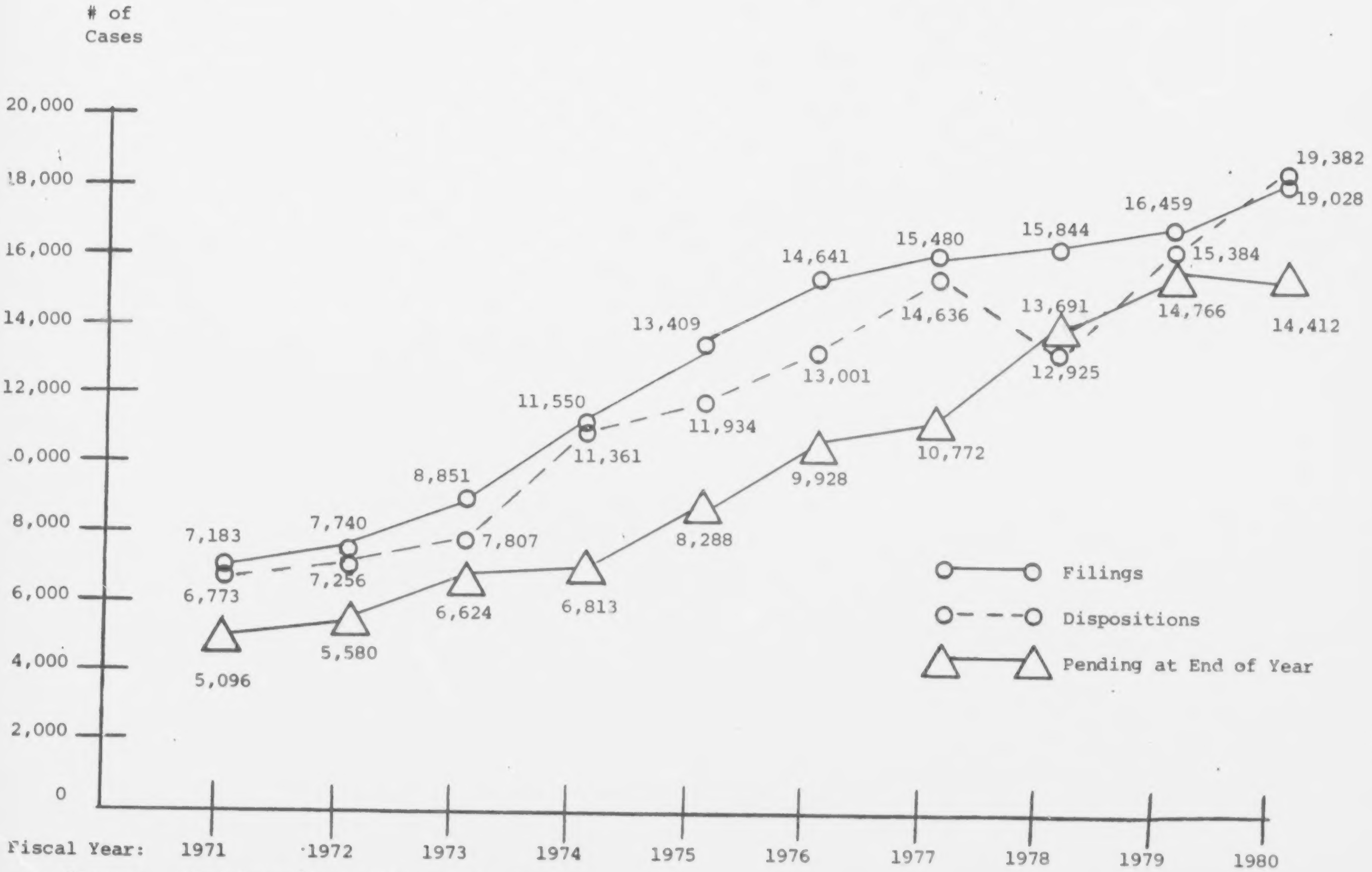
Court	1979	1980	Change	% Change
Court 1	271	292	+ 21	+ 7.7%
Court 2	256	317	+ 61	+23.8%
Court 3*	961	626	- 335	-34.9%
Court 17**	Inactive	570	+ 570	-
Court 4	697	888	+ 191	+27.4%
Court 5	489	722	+ 233	+47.6%
Court 6	587	986	+ 399	+68.0%
Court 7#	1,776	458	-1,318	-74.2%
Court 16##	Inactive	1,737	+1,737	-
Court 8	390	477	+ 87	+22.3%
Court 9	643	929	+ 286	+44.5%
Court 10¶	421	258	- 163	-38.7%
Court 11¶	68	7	- 61	-89.7%
Court 12	5,220	5,314	+ 94	+ 1.8%
Court 13	3,605	5,797	+2,192	+60.8%
Court 14¶	0	0	0	0.0%
Court 15¶	0	4	+ 4	inf.
TOTALS	15,384	19,382	+3,998	+26.0%

*Criminal court only as of 12/17/79.
**Activated on 12/17/79.
#Criminal court only as of 10/1/79.
##Activated on 10/1/79.
¶Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

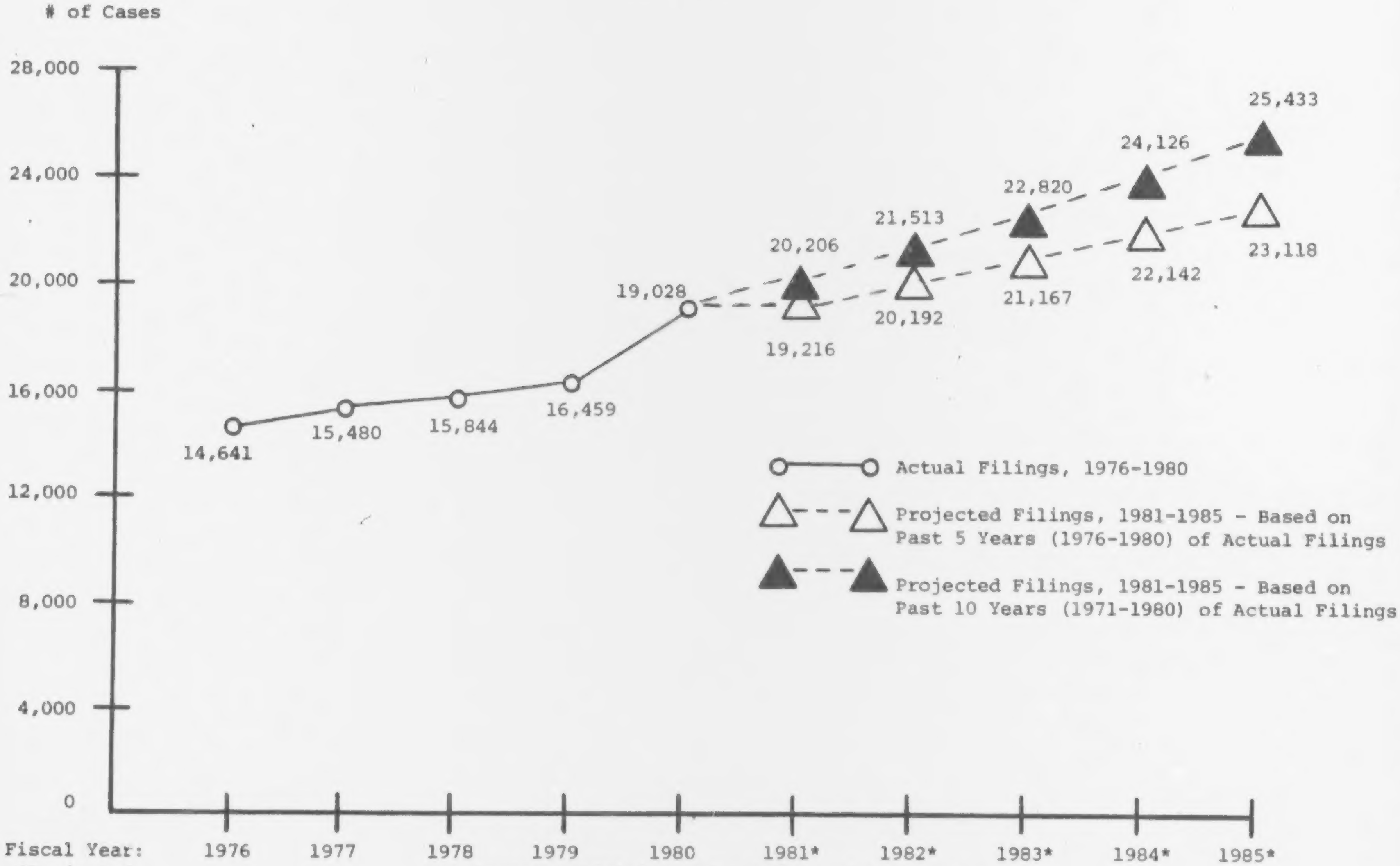
10-YEAR WORKLOAD TREND
CIVIL CASES



Source: Administrative Office of the Courts

JUSTICES OF THE PEACE COURTS

5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1980
RANKINGS IN ORDER OF TOTAL CASES FILED

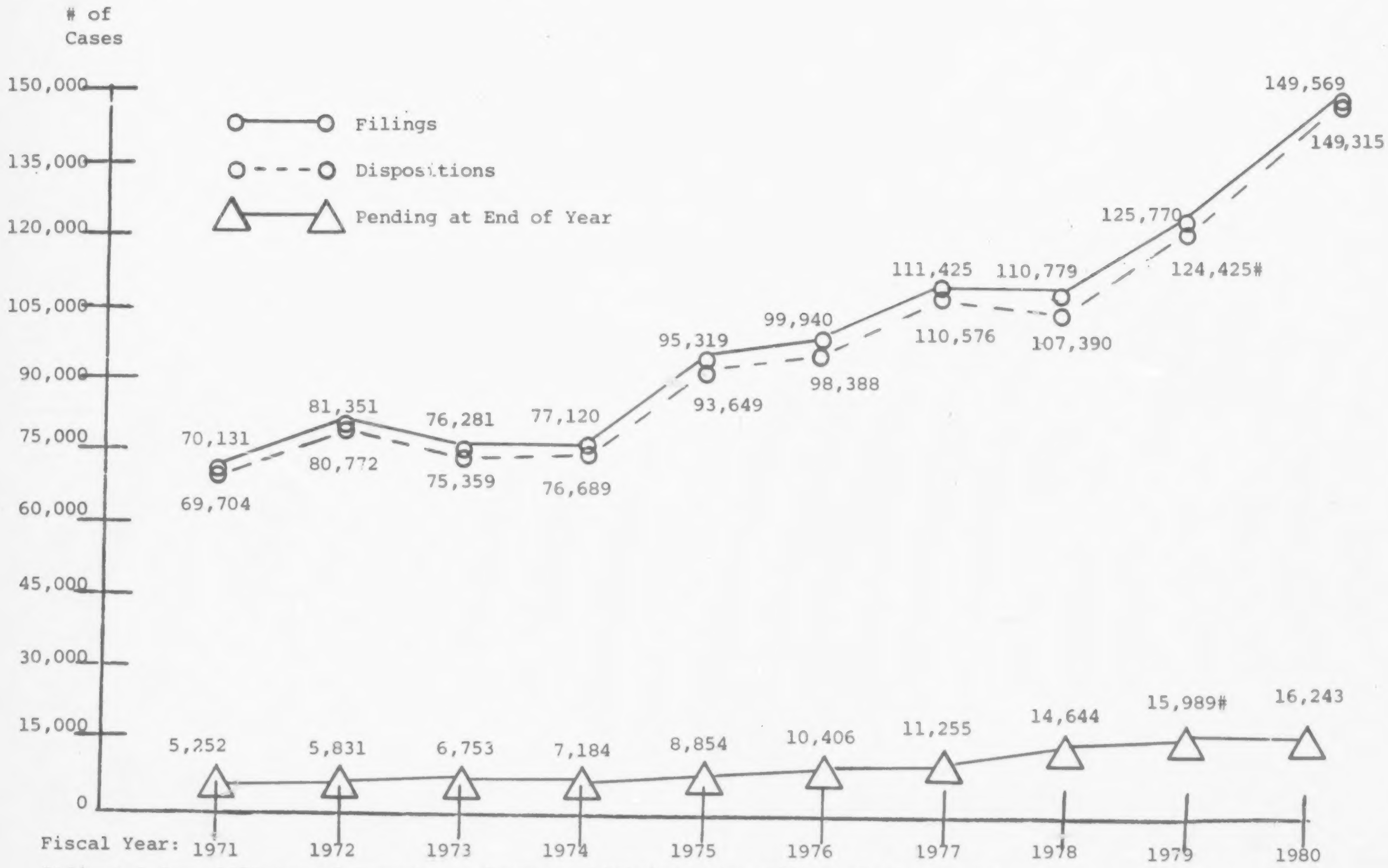
Rank	Court	Total Cases Filed	Percentage of Total	FY 1979 Rank
1	Court 11	21,898	14.6%	3
2	Court 7	21,860	14.6%	1
3	Court 10	19,679	13.2%	2
4	Court 3	15,389	10.3%	4
5	Court 2	13,870	9.3%	5
6	Court 15	13,134	8.8%	6
7	Court 4	10,793	7.2%	7
8	Court 9	6,264	4.2%	10
9	Court 6	5,799	3.9%	11
10	Court 12	5,632	3.8%	9
11	Court 13	5,349	3.6%	8
12	Court 8	3,820	2.6%	12
13	Court 16*	1,993	1.3%	-
14	Court 1	1,839	1.2%	13
15	Court 5	1,694	1.1%	14
16	Court 17**	556	0.4%	-
17	Court 14¶	0	0.0%	15
TOTALS		149,569	100.0%	

*Activated on 10/1/79.
**Activated on 12/17/79.
¶Court 14 is used to handle some DUI and fugitive warrants, which are included in the totals for other courts.

Source: Administrator, Justice of the Peace Courts

JUSTICES OF THE PEACE COURTS

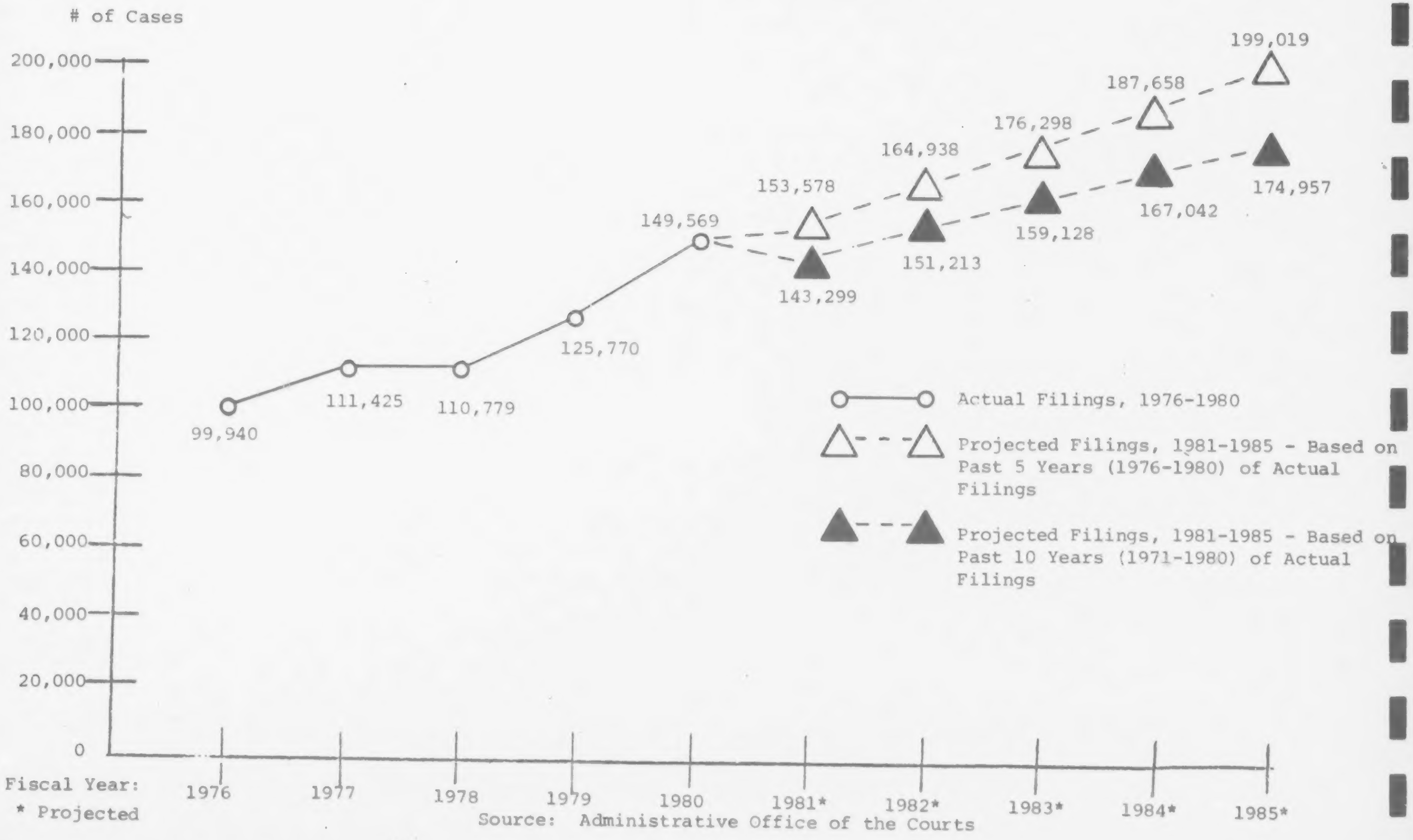
10-YEAR WORKLOAD TREND
TOTAL CASES



#Adjusted from 1979 Annual Report. Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Source: Administrative Office of the Courts

Alderman's Courts

ALDERMAN'S COURTS

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

Geographic Organization

Alderman's Courts have jurisdiction within their own town limits only. There are 13 Alderman's Courts currently active with the Alderman's Court in Delmar closing at the end of FY 1980. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

Legal Jurisdiction

The jurisdiction of an Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court again varies with the town charter (which is approved by the state legislature). Many courts handle only traffic and parking violations; only 5 handle as many as 100 criminal cases annually. Harrington's court handles only civil cases. Appeals are taken de novo to Superior Court within 15 days of the trial.

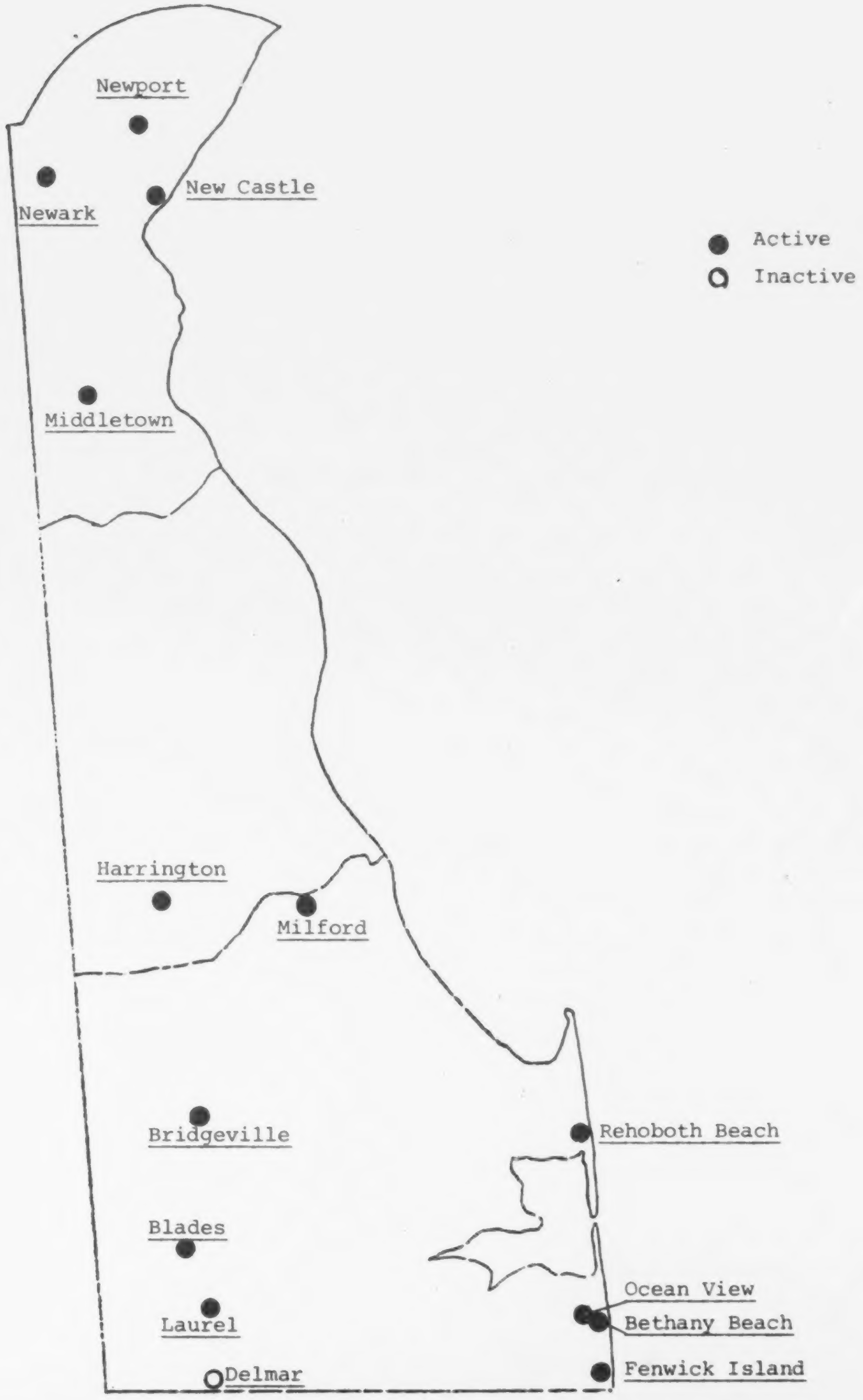
Aldermen

The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers; others choose ordinary citizens. A few aldermen serve full-time, but most are part-time judges. In New Castle the mayor serves as judge of their court.

Caseload Trend

FY 1980 was the fourth year during which complete workload statistics were collected. All 14 courts active during FY 1979 remained active in FY 1980, and no new courts were activated. 8 of the 14 active courts experienced increases while 6 of the 14 active courts declined in workload. Overall, the total number of cases heard by aldermen in Delaware rose by almost 700, a 4.0% increase. Most Sussex County courts continue to have extremely seasonal fluctuations in their caseloads.

ALDERMAN'S COURTS IN DELAWARE


Newport
Newark
New Castle
Middletown
Harrington
Milford
Bridgeville
Blades
Laurel
Delmar
Rehoboth Beach
Ocean View
Bethany Beach
Fenwick Island
● Active
○ Inactive

ALDERMAN'S COURTS

Court	Location	Hours Open (As of 12/19/80)	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 39	Middletown	Tu 5-6PM	1	Criminal & Traffic
Court 40	Newark	M-Th 4:30PM until all cases are disposed of; W 8:30AM until all cases are disposed of	Varies	Criminal & Traffic
Court 41	New Castle	Tu 7:30PM until all cases are disposed of	Varies	Traffic
Court 42	Newport	M-F 3:30-5PM	7½	Traffic
Kent County				
Court 45	Harrington	No Set Time Schedule	Varies	Civil
Sussex County				
Court 31	Bethany Beach	M, W, Sat 8:30-9:30AM; F 7-7:50PM	4	Criminal & Traffic
Court 48	Blades	W 1-4PM & 7-9PM; Sat 1-4PM	8	Traffic & Civil
Court 32	Bridgeville	Tu, Th 9-12AM	6	Criminal & Traffic
Court 34	Fenwick Island	No Set Time Schedule	Varies	Criminal, Traffic, & Civi
Court 35	Laurel	Tu 4:30-9:30PM; F 4:30-9:30PM	10	Criminal & Traffic
Court 36	Milford	M, Th 8:30-11:30AM & 4:30-8:30PM; W 8-10AM & 5-8PM; F 8-10AM & 6-8PM; Sat 1-4PM & 6-8PM	28	Criminal, Traffic, & Civil
Court 43	Ocean View	No Set Time Schedule	Varies	Criminal, Traffic, & Civil
Court 37	Rehoboth Beach	No Set Time Schedule	Varies	Criminal & Traffic

ALDERMAN'S COURTS

ALDERMEN

NEW CASTLE COUNTY

Middletown
Hon. David D. Chillas, Alderman

Newark
Hon. Vance A. Funk, III, Chief Alderman of Delaware
Hon. Richard E. Franta, Deputy

New Castle
Hon. John F. Klingmeyer, Mayor

Newport
Hon. Joseph A. Palermo, Alderman

KENT COUNTY

Harrington
Hon. Anna R. Hampton, Alderman

SUSSEX COUNTY

Bethany Beach
Hon. J. Joseph Tansey, Alderman
Hon. Harold Britton Barber, Assistant

Blades
Hon. Harvey W. Lee, Alderman

Bridgeville
Hon. Margaret I. Thompson, Alderman

Fenwick Island
Hon. Richard A. Barton, Deputy Chief Alderman of Delaware
Hon. Alfred D. Spinner, Alternate

Laurel
Hon. Edward Walmsley, Jr., Alderman

Milford
Hon. G. Hall Deakyne, Alderman

Ocean View
Hon. Marilyn F. Denny, Alderman

Rehoboth Beach
Hon. John M. Reardon, Alderman
Hon. Lynn K. Evy, Assistant

ALDERMAN'S COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

MIDDLETOWN
Alderman's Court 39
P.O. Box 227
216 North Broad Street
Middletown, DE 19709
(378-2711)

NEWARK
Alderman's Court 40
220 Elkton Road
P.O. Box 390
Newark, DE 19711
(366-7028, 366-7029)

Clerk of the Court
Margaret B. Nelson

Clerk Typists
Janet L. Duncan
Kathleen R. Lloyd

NEW CASTLE
Mayor's Traffic Court
P.O. Box 7
New Castle, DE 19720
(328-4112)

Court Clerk
Mary Travagline

KENT COUNTY

HARRINGTON
Alderman's Court 45
City Hall
103 Fleming Street
Harrington, DE 19952
(398-3772, 398-3530)

SUSSEX COUNTY

BETHANY BEACH
Alderman's Court 31
P.O. Box 109
Bethany Beach, DE 19930
(539-8011)

BLADES
Alderman's Court 48
P.O. Box 691
Blades, DE 19973
(629-7329, 629-7366)

BRIDGEVILLE
Alderman's Court 32
101 Main Street
Bridgeville, DE 19933
(337-7371)

FENWICK ISLAND
Alderman's Court 34
Town Hall
Fenwick Island, DE 19944
(539-3011)

Court Clerk
Mary Ellen Derickson

LAUREL
Alderman's Court 35
P.O. Box 210
Laurel, DE 19956
(875-2855)

Court Clerk
Linda Walmsley

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEWPORT
Alderman's Court 42
205 North Marshall Street
P.O. Box 2053
Newport
Wilmington, DE 19804
(998-2707)

Court Clerk
Annette Leech

SUSSEX COUNTY

MILFORD
Alderman's Court 36
2 South Washington Street
Milford, DE 19963
(422-7782)

OCEAN VIEW
Alderman's Court 43
Oakwood Avenue
Ocean View, DE 19970
(539-9797)

REHOBOTH BEACH
Alderman's Court 37
P.O. Box C
Rehoboth Beach, DE 19971
(227-7917)

ALDERMAN'S COURTS

FISCAL YEAR 1980
WORKLOAD
TOTAL CASES*

Court	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle County					
Middletown	12**	844	827	29	+ 17
Newark	703	6,239	6,039	903	+200
New Castle	13**	385	392	6	- 7
Newport	N.A.	N.A.	2,588	N.A.	N.A.
Kent County					
Harrington	75	175	170	80	+ 5
Sussex County					
Bethany Beach	143	1,039	1,059	123	- 20
Blades	16	327	335	8	- 8
Bridgeville#	N.A.	N.A.	676	N.A.	N.A.
Delmar	27	119	120	26	- 1
Fenwick Island	0	1,050	1,050	0	0
Laurel	9	977	913	73	+ 64
Milford	0	980	980	0	0
Ocean View	N.A.	N.A.	759	N.A.	N.A.
Rehoboth Beach	29	1,305	1,301	33	+ 4
TOTALS	N.A.	N.A.	17,209	N.A.	N.A.

N.A. = Not Available

*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**Adjusted from 1979 Annual Report.

#Court closed from 5/1/80-6/23/80.

Source: Alderman's Courts and Administrative Office of the Courts

ALDERMAN'S COURTS

FISCAL YEAR 1980
WORKLOAD
CRIMINAL CASES*

Court	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle County					
Middletown	0**	118	108	10	+ 10
Newark	213	941	789	365	+152
New Castle	0	0	0	0	0
Newport	0	0	0	0	0
Kent County					
Harrington	0	0	0	0	0
Sussex County					
Bethany Beach	0	0	0	0	0
Blades	0	1	1	0	0
Bridgeville#	N.A.	N.A.	38	N.A.	N.A.
Delmar	4	4	8	0	- 4
Fenwick Island	0	5	5	0	0
Laurel	4	142	120	26	+ 22
Milford	0	149	149	0	0
Ocean View	N.A.	0	0	N.A.	0
Rehoboth Beach	N.A.	N.A.	380	23	N.A.
TOTALS	N.A.	N.A.	1,598	N.A.	N.A.

N.A. = Not Available

*The unit of count in the Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**Adjusted from 1979 Annual Report.

#Court closed from 5/1/80-6/23/80.

Source: Alderman's Courts and Administrative Office of the Courts

ALDERMAN'S COURTS

FISCAL YEAR 1980
WORKLOAD
TRAFFIC CASES*

Court	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle County					
Middletown	12**	726	719	19	+ 7
Newark	490	5,298	5,250	538	+48
New Castle	13**	385	392	6	- 7
Newport	N.A.	N.A.	2,588	N.A.	N.A.
Kent County					
Harrington	0	0	0	0	0
Sussex County					
Bethany Beach	143	895	941	97	-46
Blades	16	311	319	8	- 8
Bridgeville#	N.A.	N.A.	638	N.A.	N.A.
Delmar	23	115	112	26	+ 3
Fenwick Island	0	828	828	0	0
Laurel	5	835	793	47	+42
Milford	0	691	691	0	0
Ocean View	N.A.	N.A.	749	N.A.	N.A.
Rehoboth Beach	N.A.	N.A.	913	10	N.A.
TOTALS	N.A.	N.A.	14,933	N.A.	N.A.

N.A. = Not Available

*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**Adjusted from 1979 Annual Report.

#Court closed from 5/1/80-6/23/80.

Source: Alderman's Courts and Administrative Office of the Courts

ALDERMAN'S COURTS

FISCAL YEAR 1980
WORKLOAD
CIVIL CASES

Court	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle County					
Middletown	0	0	0	0	0
Newark	0	0	0	0	0
New Castle	0	0	0	0	0
Newport	0	0	0	0	0
Kent County					
Harrington	75	175	170	80	+5
Sussex County					
Bethany Beach	0	0	0	0	0
Blades	0	15	15	0	0
Bridgeville	0	0	0	0	0
Delmar	0	0	0	0	0
Fenwick Island	0	86	86	0	0
Laurel	0	0	0	0	0
Milford	0	80	80	0	0
Ocean View	0	5	5	0	0
Rehoboth Beach	0	0	0	0	0
TOTALS	75	361	356	80	+5

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1980
WORKLOAD
OTHER CASES*

Court	Pending 6-30-79	Filings	Dispositions	Pending 6-30-80	Change In Pending
New Castle County					
Middletown	0	0	0	0	0
Newark	0	0	0	0	0
New Castle	0	0	0	0	0
Newport	0	0	0	0	0
Kent County					
Harrington	0	0	0	0	0
Sussex County					
Bethany Beach	0	144	118	26	+26
Blades	0	0	0	0	0
Bridgeville**	0	0	0	0	0
Delmar	0	0	0	0	0
Fenwick Island	0	131	131	0	0
Laurel	0	0	0	0	0
Milford	0	60	60	0	0
Ocean View	0	0	0	0	0
Rehoboth Beach	0	8	8	0	0
TOTALS	0	343	317	26	+26

*The unit of count in the Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of would be counted as 3 dispositions.

**Court closed from 5/1/80-6/23/80.

Source: Alderman's Courts

ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1979-1980
DISPOSITIONS*

Court	1979	1980	Change	% Change
New Castle County				
Middletown	554	827	+273	+49.3%
Newark	5,525	6,039	+514	+ 9.3%
New Castle	586	392	-194	-33.1%
Newport	2,966	2,588	-378	-12.7%
Kent County				
Harrington	122**	170	+ 48	+39.3%
Sussex County				
Bethany Beach	1,182	1,059	-123	-10.4%
Blades	178#	335	+157	+88.2%
Bridgeville	1,064	676##	-388	-36.5%
Delmar	146	120	- 26	-17.8%
Fenwick Island	845	1,050	+205	+24.3%
Laurel	379	913	+534	+140.9%
Milford	889	980	+ 91	+10.2%
Ocean View	578	759	+181	+31.3%
Rehoboth Beach	1,526	1,301	-225	-14.7%
TOTALS	16,540	17,209	+669	+ 4.0%

*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of would be counted as 3 dispositions.

**Information not available for August through December, 1977.

#Disposition information not available for November and December, 1978, and March, 1979.

##Court closed from 5/1/80-6/23/80.

Source: Alderman's Courts and Administrative Office of the Courts

ALDERMAN'S COURTS

FISCAL YEAR 1980
RANKINGS IN ORDER OF TOTAL DISPOSITIONS

Rank	Court	Total Number of Dispositions*	Percentage of Total	FY 1979 Rank
1	Newark	6,039	35.1%	1
2	Newport	2,588	15.0%	2
3	Rehoboth Beach	1,301	7.6%	3
4	Bethany Beach	1,059	6.2%	4
5	Fenwick Island	1,050	6.1%	7
6	Milford	980	5.7%	6
7	Laurel	913	5.3%	11
8	Middletown	827	4.8%	10
9	Ocean View	759	4.4%	9
10	Bridgeville**	676	3.9%	5
11	New Castle	392	2.3%	8
12	Blades	335	1.9%	12
13	Harrington	170	1.0%	14
14	Delmar	120	0.7%	13
	TOTALS	17,209	100.0%	

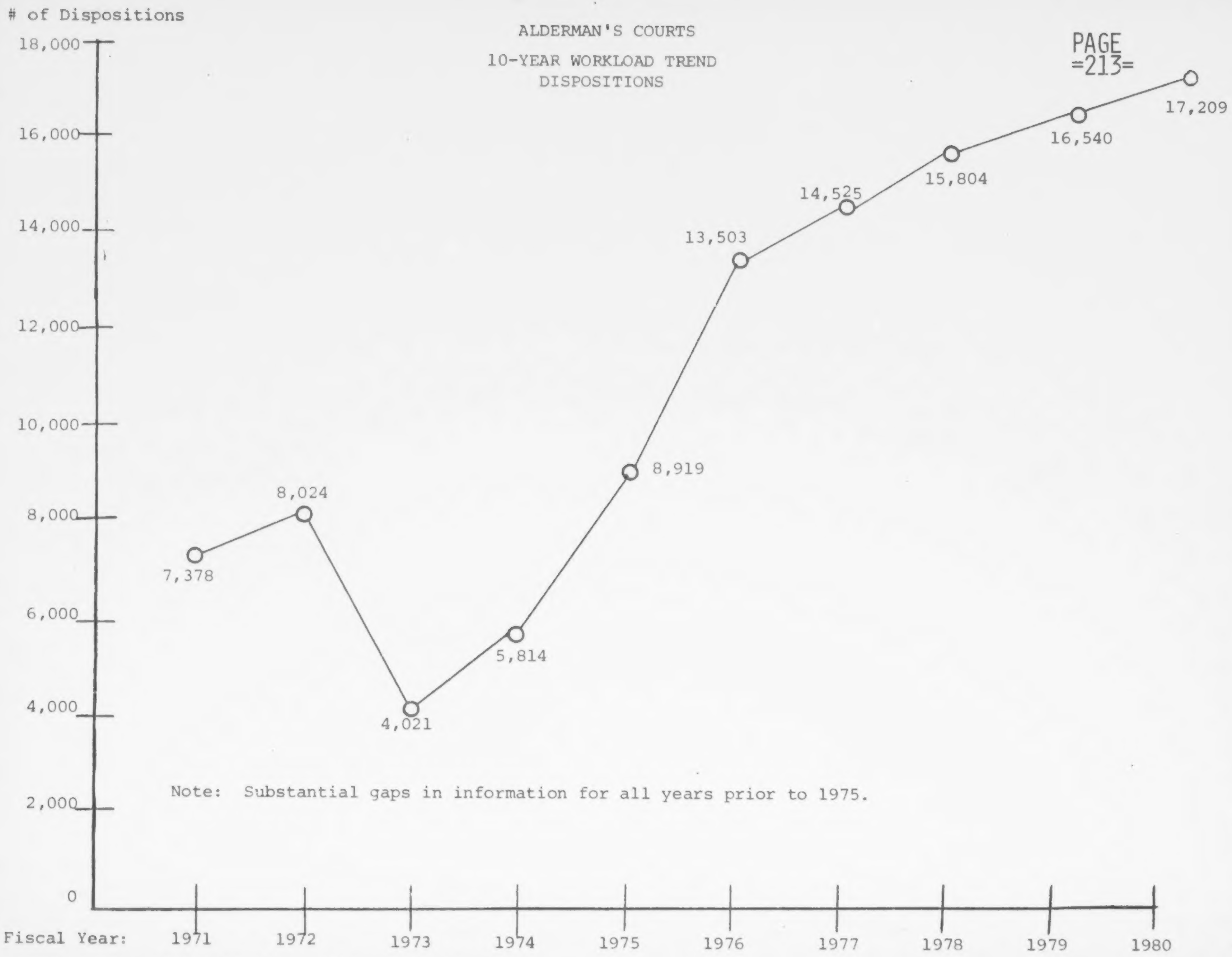
*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**Court closed from 5/1/80-6/23/80.

Source: Alderman's Courts and Administrative Office of the Courts

ALDERMAN'S COURTS

10-YEAR WORKLOAD TREND
DISPOSITIONS



Note: Substantial gaps in information for all years prior to 1975.

Source: Administrative Office of the Courts

Violent Crimes Compensation Board

VIOLENT CRIMES COMPENSATION BOARD

Legal Authorization

The Violent Crimes Compensation Board is authorized by 11 Delaware Code, Chapter 90.

Purpose

It is the purpose of the Violent Crimes Compensation Board to "promote the public welfare by establishing a means of meeting the additional hardships imposed upon the innocent victims of certain crimes, and the family and dependents of those victims." Thus, compensation to help meet the added burdens which sometimes face the innocent victims of certain crimes may be offered by the Board for as much as $10,000. The Board receives a 10% penalty assessment which by law is added onto every fine, penalty, and forfeiture. These monies are deposited into the 'Victim's Compensation Fund' for use when needed.

Geographic Organization

The Board is responsible for handling requests for compensation throughout the State of Delaware. Hearings on these requests are held in either Wilmington or Dover, with the Administrative Office of the Violent Crimes Compensation Board located in Wilmington.

Personnel

The Violent Crimes Compensation Board consists of five members; a chairman, a vice-chairman, and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years so long as no more than two Board members have their terms expire at the end of any given year. The Board is to be composed of three members of one of the major political parties and two members from the other major political party. The Board may appoint an Executive Secretary and other employees as needed so long as the total number does not exceed five at any time. In addition to the Executive Secretary, the Board currently employs an administrative assistant, two claim investigators, and a secretary.

Caseload Trend

A total of $237,516.98 was disbursed for payment of expenditures for victims, attorneys, and medical opinions. This was the largest amount disbursed in any fiscal year to date by the Board for such payments, an increase of 16.2% from the $204,334.12 awarded in fiscal year 1979. Over the entire history of the Board, approximately two-thirds of all expenditures for any given fiscal year were for victims, attorneys, and medical opinions while the remaining one-third was for administrative costs. Through the end of FY 1980, the Board had awarded $907,478.98 for victims, attorneys, and medical opinions.

VIOLENT CRIMES COMPENSATION BOARD

800 Delaware Avenue, Suite 500
Wilmington, Delaware 19801
(571-3030)

BOARD MEMBERS

Clifford B. Hearn, Jr., Esq., Chairman
Stephen L. Manista, Vice-Chairman
Leah W. Betts
Robert H. George
Edward S. Stansky

SUPPORT PERSONNEL

Executive Secretary
Oakley M. Banning, Jr.

Claim Investigators
Marcia A. Jenkins
Howard P. Wilson

Administrative Assistant
Ann M. Lattanzio

Secretary
Barbara E. Weiss

Foster Care Review Board

FOSTER CARE REVIEW BOARD

Legal Authorization

The Foster Care Review Board is authorized by 31 Delaware Code, Chapter 38.

Purpose

The Board serves as an independent monitoring system responsible for identifying and periodically reviewing children placed in foster care. Reviews of individual children in placement are conducted to insure that continuing efforts are being made to obtain permanent homes for these children. The Board must report annually to the Chief Justice of the Supreme Court, the General Assembly and the Governor upon the effectiveness of its activities and must submit recommendations regarding the policies and procedures of foster care placement agencies. Most placements of this sort (approximately 95%) are handled by the Division of Social Services.

Geographic Organization

The Board is responsible for reviewing the placements of children throughout the State of Delaware and actual review sessions are conducted in various locations across the State. The Administrative Office of the Board is located in Wilmington.

Personnel

Twenty-one citizen volunteers compose the Foster Care Review Board. Members are appointed by the Governor and serve either a one; two; or three-year term. Of the 21 Board members, not more than 11 may be members of either major political party. The Governor designates one member who serves at his pleasure as Chairman. The Board hires an Administrative Coordinator who may in turn employ additional support personnel.

Caseload Trend

The Board's enacting legislation called for the first reviewing of foster placements to begin in July of 1980. In preparation for this start up date, the Board identified the foster child population and selected a representative sample for review. This sample, rather than all foster children, is being reviewed due to the four hundred review maximum imposed upon the Board by its enabling legislation. Actual caseload data will be available after the Board's first full year of operation.

FOSTER CARE REVIEW BOARD
7th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-6000)

BOARD MEMBERS

Shirley A. Cupery, Chairman

Linda Burris
Lillian F. Cobin
Marcella Copes
Ivy Davis
Gail Denney
Jane Erisman
Louise H. Gilliam
Barbara B. Green
Rev. Frank G. Henson
Jay R. Hukill

Sandra Kraufmann
Anne B. King
Carolyn S. Kline
Nancy L. McKenna
Kathryn T. Montgomery
Warren A. Rhodes
Henry H. Stroud
Helen C. Truitt
Jane L. Willis
Vacant

SUPPORT PERSONNEL

Administrative Coordinator
Wayne G. Spaulding

Staff Assistant
Barbara A. Brown

Administrative Assistant
Charlotte H. Harris

Conferences & Councils

COURT ON THE JUDICIARY

Article IV, Section 37, of the Constitution of the State of Delaware created this Court, consisting of the Chief Justice and the Associate Justices of the Supreme Court, the Chancellor, and the President Judge of Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or permanent mental or physical disability interfering with the proper performance of these duties.

No censure, removal, or retirement will be effective until the judicial officer has been served with written charges and has had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has the power to:

(a) summon witnesses to appear and testify under oath and to compel production of other evidence, and

(b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 35.

Duties

The Judicial Conference studies the judicial business of the courts with a view towards improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the canons of judicial ethics, and holds symposia of the Bench and Bar.

Membership

The membership of the Conference includes the members of the Supreme Court, Court of Chancery, Superior Court, Court of Common Pleas, Family Court, and the Municipal Court of Wilmington. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Scheduled meetings of the Conference are held on the first Wednesdays of December and June.

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legal Authorization

The Council on the Administration of Justice is authorized by 10 Delaware Code, § 2001-2008.

Duties

The Council is charged with the continuous study of the administration of justice in the State, and of the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the State, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and makes recommendations to the Governor, the General Assembly, the courts, or the bar.

Membership

There are 15 members including the Chief Justice, the Chancellor, the President Judge of Superior Court, the Speaker of the House, the President Pro Tem of the Senate, the Minority Leaders of the House and Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term coextensive with that of the appointing Governor. Current membership is as follows:

Hon. Daniel L. Herrmann, Chief Justice, Supreme Court
Hon. William Marvel, Chancellor, Court of Chancery
Hon. Albert J. Stiftel, President Judge, Superior Court
Hon. Charles L. Hebner, Speaker of the House of Representatives
Hon. Richard S. Cordrey, President Pro Tempore of the Senate
Hon. Orlando J. George, Jr., Minority Leader, House of Representatives
Hon. Andrew G. Knox, Minority Leader, Senate
Hon. Richard S. Gebelein, Attorney General
E. A. Trabant, President, University of Delaware
Harold Schmittinger, Esq., President, Delaware Bar Association
Douglas A. Van Sant, Public Member
Kenneth N. Meyer, Public Member
Pearl Herlihy, Public Member
Robert D. Mitchell, Public Member
Lindsey Greenplate, Public Member

Projects Supported by Federal Funds

PROJECTS SUPPORTED BY FEDERAL FUNDS

During the past fiscal year, Delaware courts received continued federal support in the effort to improve the criminal justice system from the Delaware Criminal Justice Planning Commission (DCJPC), which is the state criminal justice planning agency (SPA) that administers the Law Enforcement Assistance Administration (LEAA) block grant allocation.

LEAA block grant funds were expended for the following purposes:

1. To provide computer terminals for the courts. LEAA funds enabled the courts to rent 7 computer terminals for the courts, 4 in Superior Court, 1 in Family Court, and 2 in the Justice of the Peace Courts. The terminals enabled these courts to access computerized criminal histories to aid the courts in bail and sentencing decisions. The criminal histories are housed in the state's main Central Data Processing computer in Dover. 2 of the 4 terminals in Superior Court were also used to perform the functions of the Courts' own information system.

2. To staff the Judicial Planning Committee. The Judicial Planning Committee (JPC) was created by Chief Justice Daniel L. Herrmann during December, 1976 in accordance with the provisions of PL 94-503, which reauthorized LEAA for a period of three years. The Chief Justice appointed the Honorable Vincent A. Bifferato, Associate Judge of Superior Court, to serve as Chairman. In addition, judges from each of the various courts were appointed along with the Attorney General, a representative of the Public Defender's Office, and the Director of the Administrative Office of the Courts. The mission of the JPC is to plan for the improvement of the Delaware courts, which includes planning for the utilization of federal block grant monies received through the Delaware Criminal Justice Planning Commission. The Administrative Office of the Courts received funds to employ a professional planning staff to the JPC. A planner, a research assistant, and a secretary have been hired. They must produce the Annual Judicial Plan and perform other administrative and planning functions as directed by the Administrative Office of the Courts.

3. To expand the Superior Court Case Scheduling Office. This subgrant funded a Data Entry/Calendaring Clerk to assist the Case Scheduling Office in Superior Court, New Castle County, particularly in entering data for an interim batch information system.

4. To establish an Arbitration Hearing Unit. This subgrant aided Family Court in continuing an Arbitration Unit. Federal funds add a hearing officer, 2 interview officers, and a clerk typist to 3 state-funded personnel (a hearing officer and 2 interview officers). The Arbitration Unit seeks to provide an arbitration mechanism for those first and second time offender juveniles and adults charged with misdemeanors, in order to divert defendants from further court involvement while still satisfying complainants and victims.

5. To provide a Case Coordinator. This subgrant enabled the Municipal Court to continue to employ the Case Coordinator, whose primary responsibility was to reduce the number of continuances in bringing cases to preliminary hearing or trial.

6. To staff the judiciary's computer center. State funds enabled the Administrative Office of the Courts to hire 2 computer programmers and a computer operator. This subgrant funded a Data Processing Manager and an additional computer operator. The Data Processing Manager provided the proper level of supervision and management to the computer center and the court computerization project. The second computer operator enabled the computer center to operate two shifts per day on weekdays.

LEAA also awarded four discretionary grants to the Delaware courts directly from Washington. These programs were as follows:

7. Comprehensive Data Systems (CDS)
3 systems analysts, 2 full-time and 1 part-time, were assigned to work with the Courts in the development of the courts module of the overall criminal justice information system. One analyst is dedicated to the information system for family and juvenile matters and is assigned to Family Court; two analysts are working on information requirements for adult criminal matters and are assigned to the Administrative Office of the Courts. The adult court analysts designed Superior Court first, followed by the Court of Common Pleas.

8. State Judicial Information System (SJIS), Phase I
LEAA provided the Delaware Judiciary with discretionary grant to aid in the development of its information system. This grant contained money to purchase a small computer and supporting software to house the court information system, plus funds to hire a consultant to design the civil portion of the system for all the courts. The grant also provided money for training of computer support personnel.

9. State Judicial Information System, Phase II
This one-year LEAA continuation grant of $161,000 was awarded to the Administrative Office of the Courts on 8/9/79. The funding was provided to allow the AOC to hire a team of contract programmers to do data base design, program specifications, programming, and documentation for Superior Court, Family Court, and Court of Common Pleas criminal and juvenile delinquency cases.

10. Restitution Project
The Family Court "Restitution by Juvenile Offenders Project" is a two-year LEAA grant for over $800,000. It became operational on 3/1/79. In this project, adjudicated juvenile offenders make monetary payment to the victim, provide direct service to the victim, or engage in community service. Each project juvenile is under the supervision of a project counselor in the court.

The Courts also received one grant from the federal Department of Health, Education, and Welfare.

11. Public Guardian Caseworkers

The Public Guardian was able to hire two social workers using federal Title XX, Social Security Act funds administered by the State Division of Social Services. These two staff persons provided assistance to the vast number of clients who are referred to the office of the Public Guardian but do not actually need a legal guardian. This service is offered in lieu of an adult protective service program, which the State does not have. By the terms of the contract, the two caseworkers may not provide assistance to anyone who becomes a ward of the Public Guardian. Services provided under the contract an intensive casework and counselling, including assessment of client needs, evaluation of client abilities to do for self, counselling, assisting clients in utilizing appropriate community resources, and long-term follow-up as necessary.

Court Rules Changes

COURT RULES CHANGES

The following additions, deletions, and amendments were made to the rules of Delaware's courts during Fiscal Year 1980. This material represents a synopsis of the changes, rather than verbatim copies of the changes themselves. The changes listed became effective between 7/1/79 and 6/30/80.

SUPREME COURT

Rule 2(b) (Effective 1/1/80)

This rule establishes seniority for judges of lower courts who are assigned to sit on the Supreme Court. The order is as follows:

1) Chancellor, 2) President Judge, and 3) Vice-Chancellors and Associate Judges. No seniority was heretofore in existence.

Rule 9(e) (iii) (Effective 1/1/80)

This rule lists the forms which may be used by the opposing parties in response to a notice of appeal or to the docketing of an appeal, and sets the time limits for the response. The amendment to the rule includes a requirement that this designation must be delivered by the attorney to the proper court reporter and as such represents a direction to have a transcript prepared of the parts of the record so designated.

Rule 14(b) (vi) (Effective 1/1/80)

This rule establishes the type of format which must be used in preparing a brief for the Supreme Court. It specifically requires that a statement of the standard of review applicable to each issue be included in the brief. The merits of the argument must also be included. Any unreported opinion which is cited necessitates adding a copy of said opinion to the brief, and it must be properly identified and applied to the case before the Court.

Rule 14(d) (Effective 1/1/80)

This rule sets the maximum page limits on opening and answering briefs at 35 and 20 pages respectively. The rule specifically mentions the materials which must and must not be included in calculating the total number of pages in the brief.

Rule 17 (Effective 1/1/80)

All written opinions by the Supreme Court must include mention of the names of the attorneys who were involved in the oral argument.

Rule 17(a) (Effective 3/1/80)

This rule establishes circumstances by which the Supreme Court can dispose of a case in a manner other than by written opinion (e.g., written order). The Court may do so only if the decision will serve no precedential merit; and,

1) the issue being appealed is controlled by Delaware law;
2) the issue on appeal is factual and there is enough evidence to support the previous jury verdict or findings of fact below; or
3) the issue on appeal is one of judicial discretion and the record shows no abuse of discretion.

Rule 30(e) (Effective 1/1/80)

This amendment serves to correct a typographical error made in reference to Rule 15 (originally listed incorrectly as Rule 11). The purpose of the rule itself is unchanged.

Rule 42(c) (ii) (Effective 1/1/80)

Amended Rule 42(d) (ii) sets the time limits for: 1) filing an application for interlocutory appeals (10 days); 2) filing of a response by the opposing party to the application; and, 3) decision by the Court if it is certify on decline the interlocutory appeal (not more than 20 days after filing of the application).

Rule 42(c) (iv) (Effective 1/1/80)

This rule permits the filing of a response to a notice of appeal, giving a time limit of 10 days from the service of the notice of appeal.

Rule 42(c) (vii) (Effective 1/1/80)

Rules for further proceedings after acceptance of an interlocutory appeal are set here. They include two sections which determine that the trial court must retain the record unless the record is needed to help dispose of the appeal.

Rule 43(b) (ii) (Effective 1/1/80)

This amendment clarifies what a respondent may include in his answer to a complaint involving an extraordinary writ. The amendment permits the assertion of certain responses to the complaint. This answer must be filed within 10 days of the service of the complaint.

Rule 43(b) (iii) (Effective 1/1/80)

This rule deals with the time allowed for the complainant to submit an opening brief after service of the answer. The general time limit is 30 days after service of the answer, but in those answers in which there is a motion or other defense seeking dismissal or denial of the complaint, the opening brief will be due 30 days after the Court has decided against dismissal.

Rule 43(b) (vi) (Effective 1/1/80)

This amendment requires that applications for extraordinary writs which are directed to the statutory Courts or to the Justice of the Peace Courts must first be made to Superior Court. Only after such a presentation has been denied by Superior Court may a complaint be issued to any of these Courts.

Rule 67(a) (vii) (C) (Effective 1/1/80)

This amendment increased the insurance limits permitted by a professional service corporation composed solely of attorneys for the practice of law. The minimums were increased from $50,000 per claim to $250,000 per claim and the maximum aggregate annual liability permitted was increased from $150,000 to $750,000.

Rule 69(a) (ii) (Effective 1/1/80)

This increased the annual registration fee required to retain membership in the Delaware Bar from $5 to $10.

COURT OF CHANCERY

Rule 59(f) (Effective 10/23/79)

This amended rule establishes the 5-day deadline for submitting a motion for reargument after the Court's opinion is filed or the Court's decision is received. The motion to reargue must "set forth briefly and distinctly the grounds...." After service of this motion, the opposing party has 5 days to file a short answer to each ground asserted to the motion.

Rule 132 (Effective 7/1/79)

This rule deals with fiduciary commissions, setting annual charges on gross income for Income Commissions and on the principal or corpus of the trust estate for Periodic Principal Commissions. Rules for other than annual charges are also established.

SUPERIOR COURT

Criminal Rule 5(c) (Effective 9/15/79)

The scheduling of preliminary hearings is laid out in this rule. It establishes the defendant's right to the hearing, where it is to be held, when it is to be held, and the reasons for which it may be extended.

Criminal Rule 15 (Effective 9/15/79)

This rule deals with the taking of depositions from a prospective witness. Such depositions may be taken when "due to exceptional circumstances it is in the interest of justice" to do so. Every party must be given reasonable notice. The costs will be paid by the State or County if the deposition is taken at their insistence or if the defendant cannot afford the expenses.

Civil Rule 107 (Effective 10/1/79)

This amendment establishes maximum lengths of 35 pages for an opening and 20 pages for a reply brief. These limits do not include the appendix and may be altered in certain cases by leave of the Court.

DELAWARE LAWYER'S CODE OF PROFESSIONAL RESPONSIBILITY

Disciplinary Rule 9-101(D) (Effective 1/1/80)

This amendment adds lawyers regularly performing defense services under contracts with any of the State counties, and any associates and partners of these lawyers to the list of lawyers who may not engage in the private practice of criminal law.

Disciplinary Rule 2-105 (Effective 9/15/79)

This amended rule determines when a lawyer may hold himself out as a specialist. He may do so only certain specified circumstances, such as an attorney permitted before the U.S. Patent and Trademark Office may be designated a "Patent Attorney". Any attorney involved in full-time practice who devotes not less than 25% of his entire practice time to a specific field of law may hold himself out as a lawyer whose practice is limited (at least primarily) to this field.

COURT ON THE JUDICIARY

Rule 3(a) (Effective 10/2/79)

This rule deals with the Preliminary Investigation Committee of the Court on the Judiciary. The amendment made the following changes:

1) Increased the number of members from 3 to 6;
2) Where previously all members had to be members of the Delaware Bar, it is now required that at least 4 of 6 members belong to the Delaware Bar;
3) There are now 2 committees of 3 members each; one deals with charges of misconduct by a Justice of the Peace and the other deals with charges of misconduct made against any other judicial officer.

Rule 3(g) (Effective 10/2/79)

This rule requires the Chief Justice to refer to the Committee for inquiry and report any accusations (though unofficial) of any misconduct or disability on his part upon the written request of any judicial officer.

Rule 10 (Effective 10/2/79)

This amendment adds a notation that any of the rules in Rule 10, entitled "Miscellaneous", may be suspended for a specific case by a special order of the Court.

Legislation

LEGISLATION

The following legislation was enacted during 1980 by the Delaware General Assembly.

SENATE

Senate Bill 167 (Sponsor, Senator Anthony J. Cicione)

This bill, signed into law on 6/27/80, deals with costs for civil proceedings in the Justice of the Peace Courts. The bill changed the court costs for receipt, issuance, and process of a civil action from $15 to $16. Also, a $2 charge was established for the issuance of a civil subpoena. The cost for mailing a subpoena must equal the prevailing mail rates.

Senate Bill 212 (Sponsor, Senator Francis J. Kearns)

This constitutional amendment passed the first leg when it was approved on 5/22/80. This amendment adds a new section (to be designated as § 38) to Article IV of the Delaware Constitution. This section would permit the temporary return to judicial duty of former Superior Court Judges, Court of Chancery Chancellors or Vice-Chancellors, and State Supreme Court Justices. They would be permitted to return to sit temporarily in that Court in which they had sat or any other Court to which he would be constitutionally and statutorily qualified. The upcoming General Assembly must also approve the amendment for it to become law.

Senate Bill 477 (Sponsors, Senators Thomas B. Sharp and Daniel E. Weiss)

This constitutional amendment passed its first leg on 6/24/80. To become law, it must be approved by the next General Assembly. The amendment changes the New Castle County Sheriff's term from 2 years to 4 years and eliminates the prohibition against the New Castle County Sheriff succeeding himself. Kent and Sussex County Sheriffs still serve 2 year terms and may not succeed themselves.

Senate Bill 478 (Sponsors, Senators Daniel E. Weiss and Thomas B. Sharp)

This bill abolished mileage payments to the Sheriff of New Castle County and allows the New Castle County government to fix the Sheriff's salary, as long as the salary is not less than the lowest of the salaries of the Prothonotary, Register in Chancery, Register of Wills, and Recorder of Deeds. Kent County and Sussex County Sheriffs continue to have salaries fixed by State statute and continue to receive mileage fees. Senate Bill 478 was signed into law on 6/26/80.

Senate Bill 571 (Sponsors, Senators Robert J. Berndt, Francis J. Kearns, Andrew G. Knox, and
Harris B. McDowell III)

This constitutional amendment passed the first leg when it was approved on 6/30/80. It must be approved by the incoming General Assembly in order for it to become law. This amendment deals with Article IV, Section 28 of the Delaware Constitution, which requires a two-thirds majority in each House before a change may be made in the criminal jurisdiction of any of the statutorally-created courts or of the Justice of the Peace Courts. This amendment would delete the two-thirds vote requirement.

HOUSE OF REPRESENTATIVES

None.